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ABSTRACT

Updated in September, 1975, this faculty handbook informs faculty of major policies and regulations of the university. The contents are divided into five major sections: organization of the faculty; conduct of the academic program; personnel policies for faculty; councils and administrative committees; and councils and personnel benefits and miscellaneous information. The university charter and trustee bylaws pertaining to the faculty and officers of the university are included in appendices. Of particular significance to faculty members are details regarding committees, academic policy statements, research and grants, academic freedom, teaching responsibilities, salaries and outside employment, promotion and tenure, leaves of avsence, alcoholism policy, affirmative action, academic support services, ethical conduct, travel, engagement in political activity, insurance, housing, and related services. (LBH)

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UNIVERSITY OF DELAWARE

Faculty Handbook

HE007159

U.S. DEPARTMENT OF HEALTH,
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HANDBOOK

FOR

FACULTY

1974

Updated September 1975

UNIVERSITY OF DELAWARE
NEWARK, DELAWARE 19711

This Handbook for Faculty informs faculty of major policies and regulations of the University. In some sections, or paragraphs, policies are presented for ready reference in abridged form; a more detailed statement may be obtained, in most instances, on request from Administration officers.* Exact quotations are in italics.

This Handbook, and the supporting detail papers, are official policies of the University. They remain in full effect until changed by appropriate University actions. As policy changes, new or replacement pages will be supplied until such time as a new edition is issued.

It is now University practice not to use language that refers generically to only one sex in it's publications. The updated portions of the Faculty Handbook conform to this practice. Until such time as the entire Handbook is revised, the use of the words "he," "his," "chairman," or "chairmen" in the Handbook applies to the female as well as the male sex.

This Handbook is a revision of the official 1963 Handbook adopted by the Board of Trustees as University policy, and has been approved for publication by the Board.

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*In addition, the Collective Bargaining Agreement contains policies which are in effect during the stated contract period.

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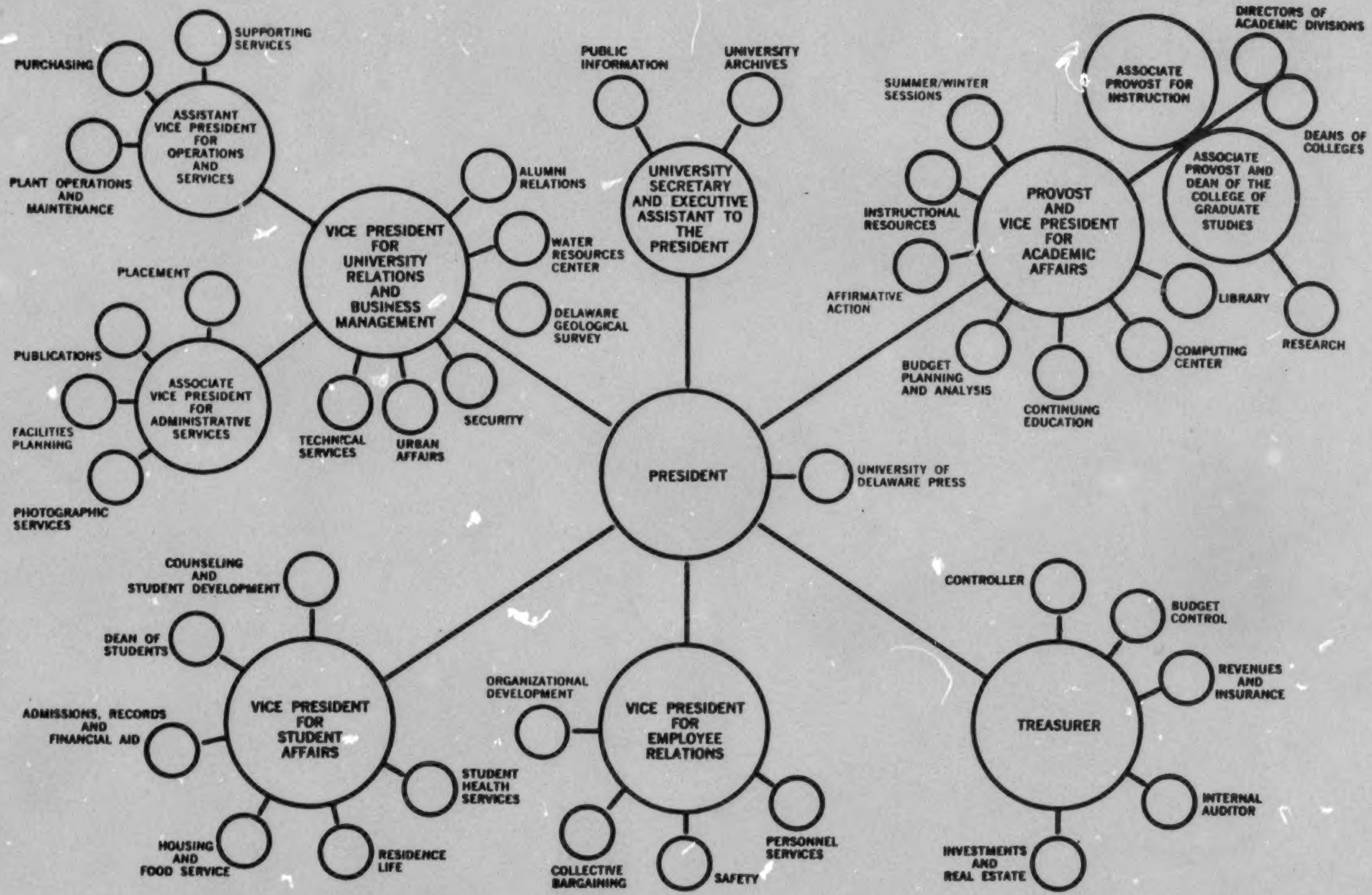
PRESIDENT
UNIVERSITY SECRETARY AND EXECUTIVE ASSISTANT TO THE PRESIDENT
PUBLIC INFORMATION
UNIVERSITY ARCHIVES
UNIVERSITY OF DELAWARE PRESS
VICE PRESIDENT FOR UNIVERSITY RELATIONS AND BUSINESS MANAGEMENT
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UNIVERSITY OF DELAWARE ADMINISTRATIVE OFFICES–Sept. 1975

SECTION I

ORGANIZATION OF THE FACULTY

The Charter of the University of Delaware as restated in 1953 appears in the Delaware Code, Title 14, Chapter 5. That Charter, attached as Appendix A, recognizes that *the entire control and management of the affairs of the University* is held by the Board of Trustees.

The Bylaws of the Board of Trustees confer certain powers on the faculty of the University until otherwise determined by the Board. Chapter 2 of those Bylaws, Sections II and III are included in this document as Appendix B. Under those Bylaws the University Faculty has adopted a Constitution of the Faculty of the University of Delaware. Except for minor editorial changes, the following is the University Faculty Constitution and Bylaws, amended as of September 17, 1973.

I. CONSTITUTION OF THE FACULTY OF THE UNIVERSITY OF DELAWARE

SECTION I:

The voting membership of the University Faculty shall consist of the following: The President of the University, the University Secretary, all Vice Presidents, the Chief Business Officer of the University, all Deans, all Associate Deans, all Assistant Deans, the Directors of Academic Divisions of the University--including Admissions and Records, Cooperative Extension, Counseling and Student Development, Library, Research, Residence Life, Summer Sessions, Instructional Resources Center, and Continuing Education--University Physicians, full-time professional members in the Library and in the Center for Counseling and Student Development, Professors, Associate Professors, Assistant Professors, full-time Instructors and Lecturers, and such other administrative and professional members as may be approved by the Trustees. All officers of administration, as listed in the University catalog, who by virtue of their position or academic rank are not voting members of the Faculty, shall be non-voting members of the University Faculty. All part-time instructors shall be non-voting members of the University Faculty.

SECTION II:

1) *There shall be established a University of Delaware Faculty Senate which, except as otherwise provided in this Constitution, shall function as the standing executive committee of the Faculty, and which shall in the periods between the regular faculty meetings exercise all the powers vested in the Faculty of the University of Delaware by the Board of Trustees, and which shall be empowered to determine the duties which it will delegate to faculty committees and to the faculties of the several colleges and divisions of the University.*

2) *There shall be established a College Faculty for each College consisting of the members of the University Faculty who hold appointments in that College. Only voting members of the University Faculty may vote in a College Faculty.*

SECTION III:

1) The Division of Physical Education, Athletics and Recreation and each College, except the College of Graduate Studies, shall hereinafter be called a Unit.

2) For the purpose of determining representation on the University of Delaware Faculty Senate (hereinafter called the Senate), and for no other purpose, each voting member of the University Faculty shall be deemed to be a member of one (and only one) of the Units. Any questions involving the assignment of a voting faculty member to a Unit shall be resolved by the Senate (or a Committee which it designates).

SECTION IV:

1) The Senate shall consist of the President of the University, the Vice President for Academic Affairs, the Vice President for Student Affairs, the Deans of the Colleges, the elected faculty senators of the Units, and four student senators of the University. Each member of the Senate (hereinafter called a senator) shall have the right to vote. In no case shall the number of non-elected senators exceed twenty percent of the Senate.

2) Each Unit shall be allotted a number of senators equal to the whole number part of the ratio of fifty (50) times the number of voting faculty of that college to the number of voting faculty of the University, with the added proviso that each Unit shall be granted at least two (2) senators. The duly constituted undergraduate student government and the graduate student government will each elect two students from the full-time student body.

3) The term of an elected faculty senator shall be two years commencing on May 1. The terms of approximately half of these senators shall expire each year. The student senators shall be elected by the group which they represent for a term of one year commencing on May 1. No elected senator shall serve more than three (3) consecutive terms.

4) The Senate or a Committee which it designates shall be responsible every second year for recomputing the formula for faculty senators given in (2) and shall notify each Unit by February 1 of that year of the number of faculty senators it is to elect in each of the following two years.

5) Each Unit shall nominate and elect its senators by secret ballot. Any vacancy shall be filled by the Unit in this manner within thirty (30) days after the Secretary of the Senate gives

notice of the vacancy and calls for an election.

6) The Senate shall hold one regular meeting each month during the academic year (September through May). It shall hold special meetings (1) at the call of the President of the University, (2) at the call of the President of the Senate, (3) by majority vote of the senators present at any regular or special meeting, (4) by petition of twenty (20) percent of the voting membership of the University Faculty to the President of the Senate, or (5) by petition to the President of the Senate of at least twenty (20) percent of the senators. The President of the Senate (or in his absence the Vice President of the Senate) in the last three cases shall issue the call of the special meeting within a week of receipt of the request. The meeting shall be held within one week of the call. The call of a special meeting shall state the purpose or purposes of the special meeting and no business shall be transacted other than that specified in the notice of the meeting.

7) At the regular May meeting the Senate shall elect a President, a Vice President, and a Secretary from the elected faculty senators, to serve for one year and to conduct the election of their successors. Senate officers may be reelected for one additional term, but may serve no more than two consecutive terms. The Secretary of the Senate shall also serve as Secretary of the University Faculty.

8) The President of the Senate shall preside over meetings of the Senate, the Vice President of the Senate shall preside when the President of the Senate is absent or chooses to participate in debate.

9) The Vice President of the Senate shall prepare the agenda for each regular meeting of the Senate. He must include items presented to him by the President of the University and/or by a committee of the University Faculty. The agenda of the meetings of the Senate shall be published to the faculty at least one week before the meeting.

The first item of business at any regular meeting of the Senate shall be the agenda. By approval of a majority of the senators present, items may be added to the agenda prepared by the Vice President, and/or the order in which the items are to be considered may be changed.

As part of the agenda of each regular meeting, there shall be time allocated for new business. No motion introduced under new business shall be acted upon until the next meeting of the Senate.

10) In determining a quorum, only the elected members shall be counted, and a simple majority of the elected membership of the

Senate shall constitute a quorum for the transaction of any business.

11) Meetings of the Senate shall be open to all members of the Faculty as observers. Others may be invited to observe or to be heard in accordance with rules to be established by the Senate.

12) The minutes of each meeting of the Senate shall be distributed to the University Faculty within ten (10) days following that meeting.

13) Robert's Rules of Order, Newly Revised, 1970, shall be followed by the Senate in the conduct of its business in all cases to which they are applicable and in which they are not inconsistent with this Constitution and any special rules of order the Senate may adopt.

14) The Senate shall have the authority to establish such other committees of the University Faculty as are required to carry on its business and shall determine the methods of their selection. Each standing committee of the University Faculty existing prior to the establishment of the Senate shall continue to function until the Senate makes appropriate disposition of its duties.

15) The chairman of each standing committee of the University Faculty, unless he be an elected faculty senator, shall attend or delegate a member of his committee to attend ex officio.

SECTION V:

Faculty members on all joint Trustee-Faculty committees shall be appointed by the President of the University with the consent of the Senate and the appropriate Faculty committees.

SECTION VI:

Proposals may be made to the Senate or any other committee of the University Faculty by any member of the University Community.

SECTION VII:

All chairmen of the University Standing Committees shall make at least one written report annually to the University Senate which shall become part of the minutes of the semi-annual meeting in April.

SECTION VIII:

1) A general meeting of the University Faculty, presided over by the President of the University or his designated deputy, shall be held annually. One-quarter of the voting membership of the University Faculty shall constitute a quorum. The agenda shall be established and distributed by the President of the University with the advice of the Senate Executive Committee.

2) Special meetings of the University Faculty, presided over by the President of the University or his designated deputy, shall be held upon the call of the President of the University, or a majority vote of the Faculty Senate, or a petition by fifteen percent of the voting members of the University Faculty. When informed of the Faculty Senate action or presented with a valid petition, the President of the University shall immediately call such a meeting which will be held within two weeks. The agenda of a special meeting will be confined to topics announced in the call for the meeting. One-quarter of the voting membership of the University Faculty shall constitute a quorum.

3) Robert's Rules of Order, Newly Revised, 1970, shall be followed by the University Faculty in the conduct of its business in all cases to which they are applicable and in which they are not inconsistent with this constitution and any special rules of order the Faculty may adopt.

4) At all regular and special meetings, the Faculty shall automatically resume and exercise all the powers vested in it by the Board of Trustees. An agenda shall be distributed to the Faculty not less than one week before meetings.

SECTION IX:

This constitution may be amended in a meeting of the University Faculty by a two-thirds vote of members present, provided previous written notice of intent to amend has been received by the Faculty one week prior to the meeting in which the proposed amendment is to be considered. All proposed amendments will be presented in faculty meetings by the Faculty Senate Committee on Rules, which will give its recommendation for action by the Faculty. Proposed amendments are presented in writing by faculty members to the Committee on Rules for possible clarification and wording changes. No faculty member may be denied the privilege of having his proposed amendment presented to the Faculty by the Committee on Rules.

SECTION VIII:

1) A general meeting of the University Faculty, presided over by the President of the University or his designated deputy, shall be held semi-annually. One-quarter of the voting membership of the University Faculty shall constitute a quorum. The agenda shall be established and distributed by the President of the University with the advice of the Senate Executive Committee.

2) Special meetings of the University Faculty, presided over by the President of the University or his designated deputy, shall be held upon the call of the President of the University, or a majority vote of the Faculty Senate, or a petition by fifteen percent of the voting members of the University Faculty. When informed of the Faculty Senate action or presented with a valid petition, the President of the University shall immediately call such a meeting which will be held within two weeks. The agenda of a special meeting will be confined to topics announced in the call for the meeting. One-quarter of the voting membership of the University Faculty shall constitute a quorum.

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II. BYLAWS AND REGULATIONS OF THE UNIVERSITY FACULTY SENATE

A. *Quorum - defined in Constitution.*

B. *Order of Business - defined in Constitution.*

C. *Standing Committees (passed by Senate on December 14, 1970).*

There shall be the following standing committees of the Senate:

(STANDING COMMITTEE SYSTEM DOCUMENTS
INCL. JUDICIAL POLICY DOCUMENT)

Committee reports are received (filed by being placed on the agenda). Following reception, the report may be adopted (endorsed) or recommendations for implementation may be made. Adoption of recommendations for implementation would adhere to prescribed rules of order. (This would include a motion to adopt or implement, cf Robert's Rules of Order, revised 1970, pp 417 and following.)

D. *Changes in Bylaws, Rules and Regulations*

The rules and regulations of the Senate, except those found in the Constitution of the University Faculty, may be changed at any regular meeting of the Senate by a two-thirds vote of those present and voting, provided that due notice has been given in the call that the proposed changes in the rules and regulations are to be considered.

E. *Regular Meetings*

The Senate shall holds its regular meetings on the first Monday of each month during the academic year. Regular meetings of the Senate shall convene at 4 PM unless otherwise designated.

F. *Special Meetings*

A special meeting of the Senate may be called by the President of the Senate, the President of the University, or as stipulated in the Constitution.

G. *Summer Meetings*

Section IV, Article 6, regarding special meetings covers the summer period.

H. Procedural Regulations

1. Robert's Rules of Order, Newly Revised, 1970, shall be followed by the Senate in the conduct of its business in all cases to which they are applicable and in which they are not inconsistent with this Constitution and any special rules of order the Senate may adopt.

2. The President of the Senate shall appoint a Parliamentarian whose function will be to advise and assist the President of the Senate with procedural matters. (Selection of the Parliamentarian must accord with the procedures noted on Page 3 of the Committee System Document.)

3. A roll call vote may be requested for any issue. Whether a roll call vote is taken is determined by a majority vote of the present and voting senators.

4. Specific operating procedures regarding debate limitations, order of speakers to be heard, permission of guests to address the Senate, etc., are established by precedent. Should the conditions of precedent not be sufficient for efficiency and fairness in the Senate, the Committee on Rules shall be directed to make specific recommendations as additions to these rules.

I. Rights and Responsibilities of Senators

1. Elected and non-elected senators shall have full privileges of the Senate, including the right to introduce and to second motions and to vote. They are obliged to attend all Senate meetings and to take part in committee work assigned by the chairman.

2. Because of the responsibility attendant upon membership in the Senate, department chairmen shall arrange teaching, research, and extension schedules to permit attendance of senators at regular meetings of the Senate.

J. Election of Senators (in Constitution)

1. By February 1 of each year, the Secretary of the Senate shall inform the Units of the Senate of (i) the names of senators whose terms will expire during the current academic year, and (ii) any changes in apportionment every other year, as stated in the Constitution. Appeals concerning the apportionment of Senate seats or the assignment of faculty to voting units for representation shall be directed to the Committee on Committees.

2. The dean or director of each Unit shall provide the Secretary of the Senate with a complete description of the method of election procedures established by the Unit. Any changes shall be reported to the Secretary of the Senate prior to their implementation.

3. Results of elections shall be announced to the members of the Units.

4. Vacancies created in the Senate for any reason whatsoever shall be filled by an election of the faculty involved. A person serving a partial term shall not have that term count against him in subsequent elections to a regular term.

K. Election of Officers of the Senate

In accord with Section IV, Article 7, of the Constitution, a Nominating Committee whose composition and charge are prescribed under the Standing Committee document shall provide for the Senate a slate of nominees at the May meeting. The slate shall have at least two eligible candidates for each office or position. Nominations to the slate from the floor are permitted. In the event that there are three or more nominees to an office, and if in the balloting no individual receives a majority, the subsequent ballot will be between the two nominees receiving the highest plurality.

L. Responsibilities and Powers of Officers (in addition to those structured in Article IV of the Constitution)

The President of the Senate shall preside at meetings of the Senate. He shall also serve as chairman and preside at meetings of the Executive Committee (the officers of the Senate).

The President of the Senate may call special meetings of the Senate or of its Executive Committee.

The President of the Senate shall serve as the executive officer of the Senate and shall sign the official copies of all Senate actions. On all matters concerning publication or public explanation of Senate actions, the President of the Senate shall be the spokesman and representative of the Senate.

When the President of the Senate is absent, the Vice President shall act in his place. The Vice President of the Senate shall publish the agenda and relevant committee reports at least one week in advance of regular meetings and as early as practicable before special meetings. (Distribution shall be: agenda, including all committee reports, recommendations, and proposals, to all senators and one per each ten faculty members of each department.)

The Secretary shall keep the minutes of the Senate, including the call to meetings, committee reports as adopted, and the record of all business transacted, and shall distribute to the faculty a record of all these transactions at regular and special meetings, using the previously published agenda as the basis for this record, and duly noting any revisions, amendments, adoptions, or rejections voted by the Senate.

M. Responsibilities and Powers of Committees (in addition to those structured in Part C of the Bylaws)

Powers and duties of the standing committees are stipulated by the Senate. In addition to considering matters referred to them by the Senate, standing committees may initiate action on matters clearly within their province and request that they be placed on the agenda of the Senate meeting.

Special committees shall consider matters referred to them by the Senate.

Committee reports to be placed on the Senate agenda must be submitted to the officers of the Senate in advance of the Senate meeting at which consideration of the report is planned, and shall be distributed with the agenda to members of the Senate.

While committees are encouraged to consult with administrative officials upon request, they do not thereby speak for the faculty or its Senate, unless their charge in the Standing Committee document so specifies. Committees shall ordinarily keep minutes of such consultations, and shall be responsible for timely reporting of their consulting activities to the Senate. Committee reports and papers are confined to routing through the Senate.

The Senate may choose to allow for a committee to submit a closed report to an administrative official when the need for its confidentiality is acceptable to the Senate.

N. Powers Delegated to the Several Colleges and Divisions

The Bylaws of the Trustees of the University include the following charges to the faculty:

The faculty shall:

1. Formulate rules and regulations for the government and the discipline of the student body.

2. Provide for the establishment of the curricula and courses in the several colleges and divisions.

3. Provide for the establishment of a program of extra-course education for students.

4. Determine educational and academic policies of admissions.

5. Determine the requirements for degrees and recommend candidates for diplomas, degrees, and certificates, which shall be conferred by the President of the University under the authority of the Board of Trustees.

6. Recommend policies concerning awards, prizes, and scholarships.

7. Recommend educational and academic policies relating to the administration of the University Library.

8. Make recommendations for the conduct of formal exercises and public functions held under the auspices of the University.

9. Adopt regulations governing its own procedures with authority to enact, amend, and repeal its bylaws by a two-thirds vote of those present.

10. Determine the duties which it will delegate to faculty committees and to the faculties of the several colleges and divisions of the University.

Section II, Article I of the Constitution of the Faculty of the University of Delaware empowers the University Senate "to determine the duties which it will delegate to faculty committees and to the faculties of the several colleges and divisions of the University."

The University Faculty recognizes the college faculties as the regular authorized representative agency of each college, having certain delegated functions as follows:

1. To seek the continual improvement of academic programs, standards, and achievements in the college.

2. To take an active role in the guidance, planning and administration of the instructional, research, and service activities of the college.

3. To serve as the official channel for the expression of college faculty opinion.

4. To consider and make recommendations concerning (policies governing) appointments, leaves, sabbaticals, promotions, tenure and dismissal of faculty members.

The adoption of the Constitution by the Faculty indicates that the Faculty has assented to grant the collective powers of the Faculty granted by the Trustee Bylaws to the University

Faculty Senate in those periods between the regular Faculty meetings. Therefore, the University Faculty Senate retains for the Faculty ultimate responsibility in the general areas of curriculum, admission, degree requirements, awards, etc. The committee structure of the Senate reflects the retention of the responsibility of the Senate in these areas.

Final, or ultimate, responsibility is not, however, initial responsibility. The burden for curriculum design, admission policies, degree requirements, prizes, awards and ceremonies must remain at the college level. Each college accepts initial responsibility in these areas. Decisions made at the college level would be presented through committee to the University Faculty Senate. Substantive changes in such decisions would be referred back to the colleges in question.

Decisions regarding the selection of official designees or representatives of a college or division of the University at special ceremonies and celebrations shall be made at the college level.

O. Privileges Delegated to the Several Colleges and Divisions

The Bylaws of the Trustees provide that the Faculty shall have the privilege -

1. To make recommendations to the Board of Trustees concerning the establishment of any degree to be awarded or the disestablishment of any degree.
2. To consider matters of general interest to the University and make recommendations thereupon to the President for transmission to the Board of Trustees.
3. To consider and make recommendations for proposed changes in the University organization.
4. To make recommendations to the President, for transmission to the Board of Trustees, concerning the formation of policies governing appointments, promotions, tenure, dismissals, and salaries.
5. To propose to the President, for transmission to the Board of Trustees, upon the concurrence of two-thirds of those present, amendments to these regulations, provided such amendment or amendments have been proposed in writing at the preceding regular meeting of the University Faculty.

These collective privileges, like the collective powers described above, remain with the University Senate as delegated by the Faculty Constitution. However, each college and division is expected to initiate recommendations of general interest and to propose recommendations concerning policies governing appointments, promotions, tenure, dismissals and salaries within their colleges. Ultimately such proposals would be presented, through committee, to the University Senate.

III. STANDING COMMITTEE SYSTEM OF THE FACULTY AND ITS SENATE

GENERAL PROVISIONS REGARDING COMMITTEES

Responsive to their roles as agents of the faculty and its Senate and also as prime contributors to them of information and recommendations, all committees are charged to report to the Faculty Senate at least once annually in writing. Committees may be charged further by the Faculty or its Senate for special reports on prescribed subjects.

In the conduct of its business a committee may hold hearings and open meetings, as well as joint meetings with another committee.

Faculty appointments to committees are to be for terms of two years staggered so as to ensure satisfactory continuity, but faculty members shall not normally serve for more than two consecutive terms on any one committee.

Elections for the standing Committee on Committees shall take place each fall so that this Committee is fully constituted on October 1 of each year; and this Committee shall prepare its nominations for other committees for action at the regular May meeting of the Faculty Senate. Newly chosen committee members will assume their duties on September 1 following the May Senate meeting at which they were appointed.

Exceptions to these procedures shall be the standing Nominating Committee, the Judicial Policy Board, and Faculty-Student Appellate Court, whose nominations and elections are provided for elsewhere in this document.

A committee may subdivide itself into working subcommittees in performing its duties; and may turn to the standing Committee on Committees for the appointment of task forces, study panels and the like as hereinafter provided, to expedite its work.

Each committee is to recognize where its work touches upon the responsibilities of individual colleges, departments, and divisions, and accordingly is to effect liaison with them so as to ensure adequate exchange of information and viewpoint.

No charge to or statement of authority or responsibility of any committee of the Faculty or its Senate hereinafter occurring shall be construed to confer upon any committee of the Faculty or its Senate any powers, duties, responsibilities, or authorities contrary to or in conflict with the Bylaws of the Board of Trustees of the University of Delaware. The purpose of the committee structure here established is solely in keeping with Trustee Bylaw Chapter 2, Section II, Paragraph C, Article 10: "(The faculty shall): determine the duties which it will delegate to faculty committees and to the faculties of the several colleges and divisions of the University."

EXECUTIVE COMMITTEE

This committee shall include the President of the Senate, the Vice President of the Senate, and the Secretary of the Senate.

The committee is charged with receiving, filing, and considering agenda items for Senate meetings; informing the Faculty of ongoing activities of the Senate and other University committees in order to encourage contributions to projects still in their formative stages; advising the President of the University on the agenda for meetings of the University Faculty and other matters of mutual interest; and bringing to the attention of the Senate such information, recommendations, and resolutions as are deemed necessary for the performance of its constituted duties.

COMMITTEE ON COMMITTEES

This committee shall have general oversight of the committee system of the faculty. It shall regularly review the system and may make recommendations to the faculty or its Senate concerning faculty organization at all levels. It is authorized directly to constitute on an interim basis such subcommittees, task forces, or study panels as may be requested by faculty committees to help carry out their work, in each case promptly recording through faculty or Senate minutes the membership and charges of such subgroups. It shall prepare, for action by the faculty or its Senate, slates of nominees for the standing committees of the faculty, except where nominations and elections or appointments are otherwise explicitly provided for, and also for such ad hoc or other committees as the faculty or its Senate may specify. Upon request from the President of the University, it shall propose faculty names for University bodies he is preparing to appoint, in the nature of staff assistance without implying a position of the faculty regarding such bodies.

This committee shall fill vacancies in faculty committees for the unexpired terms thereof; solicit, receive, and hear suggestions regarding faculty committees from any member of the University community; adjudicate questions of interpretation of faculty committee functions, including questions of overlap of such functions; help formulate rules of committee operation or procedure upon request; and perform other consultative or supervisory functions that will promote the effectiveness of faculty committees according to their charges.

This committee shall annually canvass the faculty for individual faculty members' interests in serving on committees, and may employ the members of the Senate to conduct the canvass on a personal basis. The willingness of nominees to serve on committees shall be ascertained before their names are submitted for action. The committee in preparing nominations shall have regard for equitable distribution with respect to academic ranks and with respect to disciplines and academic units of the University, and may consult with Deans and Departmental Chairmen concerning workloads of faculty members. The committee may otherwise consult with the President and other appropriate members of the University Community regarding its nominations. To ensure adequate information-flow between the Faculty Senate and the faculty committees, the Committee on

Committees shall take care that Senators are adequately distributed over the family of committees with appropriate memberships therein. The committee's nominations shall specify committee chairmen where not provided for otherwise.

The committee shall receive and transmit to the faculty or its Senate the nominations of the duly constituted undergraduate and graduate student governments for student memberships on faculty committees as specified.

The committee shall consist of one member elected from and by each Unit as defined in the Constitution of the Faculty, and three Faculty members-at-large elected by the Faculty Senate, one of whom shall be designated by the Senate as chairman. At least one committee member shall be a senator.

NOMINATING COMMITTEE

Following a year-long period of observation, evaluation, and consultation, this committee shall present a slate of nominees to the Senate at the May meeting for the following positions: the President, Vice President, and Secretary of the Senate; the second and third members of the Committee on Rules; the three Senate-designated members of the Committee on Committees, including its chairperson; the chairperson of the Coordinating Committee on Education; and the chairperson of the Coordinating Committee on Campus Life. In addition, it will present a slate of nominees for the new Nominating Committee. The slates shall have at least two eligible candidates for each office or position. Nominations from the floor are permitted.

Membership on this committee shall be restricted to five elected faculty senators, who upon election will designate one of their members as chairperson. Each shall be elected to a one-year term with the possibility of re-election to one additional term. No member of this committee may serve for more than two consecutive terms.

Vacancies in this committee will be filled by the Committee on Committees, on approval of the Senate, for the unexpired terms thereof.

COMMITTEE ON RULES

Subject to the approval of the faculty or its Senate, this committee shall formulate, codify, and review rules and bylaws concerning the functioning of the Senate and the sessions of the University Faculty; and it shall recompute faculty memberships in the Senate according to the Constitution of the Faculty. This committee shall also keep continuing records and oversight of the body of faculty and Senate actions and related University regulations, and may advise upon the bearing thereto of new legislation, including amendments to the Constitution.

This committee shall consist of the Secretary of the Senate, who shall be its chairman, and two other members chosen by the Senate. One of the committee members shall serve as parliamentarian to the faculty and its Senate.

COORDINATING COMMITTEE ON EDUCATION

This committee shall be a continuing center for overviewing the broad educational affairs of the University; for providing a large context for the examination and preparation of educational proposals; and for providing liaison and coordination among the following enumerated educational committees. It shall survey academic weaknesses and strengths and help formulate and assess educational policies and practices. Mindful of Trustee and Administrative responsibility for the University's fiscal affairs, and at the same time recognizing budgetary matters as a main instrument of academic development, this committee is authorized to confer with the Provost and Vice President for Academic Affairs concerning the establishment of academic priorities and their implementation, and such other related budgetary matters as may arise.

This committee shall be made up of a chairman chosen by the faculty Senate; the chairmen of the following enumerated committees; a designee of the Vice President for Academic Affairs; the Dean of the College of Graduate Studies; the Director of University Extension (Continuing Education); the chairman of the Academic Activities Committee of the undergraduate student government; and the chairman of the Academic Activities Committee of the graduate student government.

1. Committee on Educational Innovation and Planning

This committee shall probe the more remote educational future of the University, and may examine and originate principal educational proposals for presentation to the Coordinating Committee on Education or to the faculty or its Senate. It shall receive, hear, and examine ideas from any member of the University community. It shall concern itself with the national as well as local educational scene, and may inform itself thereon through appropriate attendance at conferences and the use of consultants.

This committee shall consist of an appointee of the Vice President for Academic Affairs; four faculty members one of whom shall be chairman; two undergraduate students; and one graduate student.

2. Committee on Undergraduate Studies

This committee shall review and consider matters relating to undergraduate education, and shall receive and may stimulate and originate proposals for its development.

This committee may initiate and shall consider and formulate specific recommendations to the colleges or to the faculty or its Senate on *undergraduate curricular changes and interdepartmental programs; and it shall have the power to act on undergraduate course changes or additions or deletions recommended by college committees which do not involve curricular revision, in each case consulting the Deans and Department Chairmen concerned. It shall, further, review the academic standards of the several undergraduate colleges; and review and prepare recommendations concerning procedures of undergraduate advisement.*

This committee shall consist of an appointee of the Vice President for Academic Affairs; one faculty member from each undergraduate college, of whom one shall be chairman; one representative of the Committee on Graduate Studies; three undergraduate students; the Director of Admissions and Records; and the Director of Student Counseling.

3. Committee on Graduate Studies

This committee shall review and consider matters relating to graduate education, and shall receive and may stimulate and originate proposals for its development.

This committee shall formulate, for determination by the faculty or its Senate, the policies for admission to graduate study. It shall have the power to act on the alteration, addition, or deletion of individual graduate courses recommended by college committees, and it shall make recommendations to the faculty or its Senate on courses of study leading to graduate degrees and on matters of policy concerning graduate study. It shall review academic standards of graduate study, and may employ outside consultants toward this end.

On the recommendation of the Dean of the College of Graduate Studies this committee shall certify to the President students who have completed the requirements for advanced degrees and upon whom the faculty, with the approbation of the Trustees, is conferring such degrees; such certification shall be entered into the minutes of the faculty or its Senate.

The committee shall consist of seven members of the Graduate Faculty, one of whom shall be the chairman; the Dean of the College of Graduate Studies; the Director of Libraries; and three graduate students.

4. Committee on Adjunct Academic Affairs

This committee shall be concerned with academic affairs having organizational identity not affiliated to any particular college, and not otherwise covered by a faculty committee.

It shall consist of five faculty members, one of whom shall be chairman; an appointee of the President; two undergraduate students; and one graduate student.

It shall meet at least annually with the Director of the Summer Session, with the Director of University Extension, with the Director of the Upward Bound Program, with the Director of the College Try Program, and with the Directors of any other like Unit or Program. The committee may call such additional meetings with Directors as it deems appropriate, and shall call a meeting at the request of a Director.

5. Coordinating Committee on Academic Services

This committee shall be concerned with reviewing and enhancing the effectiveness of University-wide academic services. It may meet to consider particular questions of any of the following individual committees specified by letter and shall meet at least once annually to consider such questions and to survey and coordinate academic services, including identification and preliminary planning of needed new ones. The committee shall consist of the chairmen of the following lettered committees dealing with individual services, of whom one shall be chairman of the Coordinating Committee on Academic Services; and of three other faculty members and one undergraduate student appointed by the undergraduate student government and one graduate student appointed by the graduate student government.

A. Library Committee

This shall consist of the Director of Libraries; one faculty from each of the several colleges, of whom one shall be chairman; and one undergraduate student; and one graduate student. It shall serve as a focus for advising the Director and the faculty or its Senate as to policies and practices regarding the University Libraries.

B. Computer Committee

This shall consist of the Director of the Computing Center; three faculty members of whom one shall be chairman; and one undergraduate and one graduate student. It shall advise on policies on the use and on the expansion of computer facilities, and hear and coordinate suggestions thereon.

C. Instructional Resources Center

This shall consist of the Director of Instructional Resources; three faculty members, of whom one shall be chairman; and one undergraduate and one graduate student. It shall survey present and projected educational resource facilities and usages, and receive and coordinate suggestions thereupon.

6. Committee on Undergraduate Admissions and Standing

This committee shall recommend, for final determination by the faculty or its Senate, the undergraduate educational and academic admissions policies, and, in consultation with the Committee on Undergraduate

Records and Certification, the policies of academic standing of undergraduates. The committee shall advise the Director of Admissions and Records in implementing these policies, and may from time to time sit with the staff which reviews individual applications for admission. This committee, in consultation with the Foreign Student Advisor, shall also advise on the admission of foreign students and shall seek to develop means for encouraging qualified foreign applicants. The committee shall additionally review and consider matters relating to foreign study arrangements for University undergraduates, and other off-campus study arrangements, as regards academic standing.

This committee shall consist of an appointee of the President; the Associate Provost for Instruction; the Director of Admissions and Records; two undergraduate students; and a faculty member from each college enrolling undergraduate majors, one of whom shall be chairman.

7. Winterim Committee

This committee shall consider matters relating to the operation of Winterim, promote effective information on Winterim, and advise on the allocation of a budget.

This committee shall consist of two appointees of the President; the Director of Winterim; four faculty members, one of whom shall be the chairperson; two undergraduate students; and one graduate student.

COMMITTEE ON STUDENT AND FACULTY HONORS

This committee shall recommend the policies governing the granting of student honors, and shall administer such policies as are adopted by the faculty or its Senate, and approved by the Board of Trustees. It may also recommend to the President nominees for faculty honors and for graduate-student honors.

It shall consist of one member from each college, including the College of Graduate Studies, one of whom shall be chairman; two undergraduate students and one graduate student; and an appointee of the President.

COMMITTEE ON UNDERGRADUATE RECORDS AND CERTIFICATION

This committee shall provide for the administration of all matters concerning undergraduate students' records and academic standing. On the recommendation of the Deans of the several colleges this committee shall certify to the President students who have completed the requirements for baccalaureate degrees and upon whom the faculty, with the approbation of the Trustees, is conferring such degrees; such certification shall be entered into the minutes of the faculty or its Senate.

This committee shall consist of an appointee of the Vice President for Academic Affairs; the Director of Admissions and Records; and one designee of the Dean of each college enrolling undergraduate majors.

COORDINATING COMMITTEE ON CAMPUS LIFE

This committee shall review and consider matters relating to the general physical and cultural aspects of campus life apart from directly formal matters of instruction. It shall consist of a chairman chosen by the Senate; a designee of the President; a designee of the Vice President for Student Affairs; a designee of the Director of Continuing Education; the Social Activities Committee chairmen of the duly constituted undergraduate student government and the graduate student government; and the chairmen of the following enumerated committees. It shall meet periodically to survey and coordinate these committees' activities, identify new needs, and formulate recommendations thereon.

1. Cultural Activities and Public Events Committee

It should be the objective of the Cultural Activities and Public Events Committee, together with its subcommittees, Fine Arts and Exhibitions, Performing Arts, Speaker's Board, and Visiting Scholars, to foster, encourage, and coordinate throughout the University programs of local, national, and world significance that illuminate, explain, articulate, or are a creative part of the cultures of mankind. The committee shall work with any and all agencies of the University specifically to sponsor, direct, or advise on programs which bring to the University notable and creative figures in scholarship, the creative arts, and public concerns; to sponsor theatrical productions, musical presentations, art exhibits, and media productions, or any presentation which reflects upon the University's obligation to foster and contribute to the cultural life of the community and the world.

The Cultural Activities and Public Events Committee will meet as a whole and in subcommittees, and will have the specific responsibility of establishing a budget. The Committee will select from its entire membership a fiscal agent who will have oversight of expenditures. The fiscal agent should have knowledge of the University accounting system and have direct access to secretarial support.

The Cultural Activities and Public Events Committee shall consist of: nine faculty members being a chairperson, the four chairpersons of the subcommittees, and one faculty member from each subcommittee as elected by the several subcommittees; one appointment by the Provost; one appointment by the Vice President for Student Affairs; three undergraduate students; and one graduate student.

Fine Arts and Exhibitions Subcommittee

It shall be the specific objective of the Fine Arts and Exhibitions Subcommittee to sponsor, direct, suggest, or coordinate presentations of the graphic arts, either those that originate on the campus or those which are brought to the campus.

It shall consist of five faculty members, one of whom shall be designated as chairperson, one appointed by the Provost, one appointed by the Vice President for Student Affairs, two undergraduate students, and one graduate student.

Performing Arts Subcommittee

It shall be the specific objective of the Performing Arts Subcommittee to sponsor, coordinate, suggest, or direct the University's activities in the performing arts, either performances created at the campus or those brought to the campus by touring theatrical troupes, musicians, or soloists.

It shall consist of five faculty members, one of whom shall be designated as chairperson, one appointed by the Provost, one appointed by the Vice President for Student Affairs, two undergraduate students, and one graduate student.

Speaker's Board Subcommittee

It shall be the specific objective of the Speaker's Board Subcommittee to foster, coordinate, and sponsor presentations proposed by students and other members of the University community which will contribute to a better understanding of recent events and current ideas. Its sponsorship is designed primarily to allow the University community to bring to the campus speakers of general rather than academic appeal to present their ideas and experiences to public gatherings.

It shall consist of five faculty members, one of whom shall be designated as chairperson, one appointed by the Provost, one appointed by the Vice President for Student Affairs, two undergraduate students, and one graduate student.

Visiting Scholars Subcommittee

It shall be the specific objective of the Visiting Scholars Subcommittee to foster, coordinate, and sponsor presentations proposed by the colleges and departments of the University which contribute to the interchange of scholarly ideas and methods thoughout the academic world. Its sponsorship is designed primarily to allow the University community to bring to the campus leading scholars from other institutions and countries to present their findings in classrooms, seminars, or lecture halls.

It shall consist of five faculty members, one of whom shall be designated as chairperson, one appointed by the Provost, one appointed by the Vice President for Student Affairs, two undergraduate students, and one graduate student.

2. Committee on Physical Planning and Utilization

This committee shall serve in an advisory capacity in respect to initiation and preparation of plans for University structures and lands and their utilization.

It shall consist of two members appointed by the President; four faculty members of whom one shall be chairman; and one undergraduate and one graduate student.

3. Committee on Academic Ceremonies

This committee shall consider and make recommendations for the conduct of formal exercises and public functions held under the auspices of the University.

It shall consist of an appointee of the President; four faculty members of whom one shall be appointed by the President and be designated committee chairman and Faculty Marshall; and one undergraduate and one graduate student.

COMMITTEE ON STUDENT LIFE

This committee shall formulate, for final determination by the faculty or its Senate, rules and regulations bearing upon the care, control, and government of students, and except where otherwise delegated, upon student extra-course activities. It shall advise the Vice President for Student Affairs on the implementation of rules and regulations enacted by the faculty or its Senate, and at least once annually shall review and evaluate with him these rules and regulations and their implementation. The committee shall generally assist and advise the Vice President for Student Affairs and be assisted and advised by him, meeting with him upon request and requesting meetings with him as needed. The committee shall also specifically advise upon student financial aid; student residence halls; student counseling; student health; and student placement; and shall meet with the Directors of these services at least once annually. It shall, further, advise upon student publications and make provision for faculty advisors to them.

This committee shall consist of two designees of the Vice President for Student Affairs; four faculty members, one of whom shall be chairman; and three undergraduate students and one graduate student.

COMMITTEE ON RESEARCH

This committee shall develop and recommend policies relating to research and to patent matters at the University, and shall hear comments and suggestions on such policies and on their implementation. It shall participate in the award of faculty research and development grants by the University, and shall actively seek other means of encouraging research by staff and students. It shall have power to review *research proposals submitted to it using inside or outside reviewers.*

This committee shall consist of the Coordinator of Research; and five faculty members of whom one shall be chairman.

COMMITTEE ON PROMOTIONS AND TENURE

This committee shall recommend to the Senate criteria and procedures relating to promotions and tenure and shall advise the faculties of the colleges and departments and the President of the University on the formulations of these policies. It shall ensure that these criteria and procedures are made known within each department and throughout the University. The committee shall review proposed promotions, particularly those to tenured ranks and reappointments carrying tenure to ensure compliance with the published criteria and shall either endorse for promotion or question recommendation. The committee shall also review adverse promotion recommendations by departments, colleges, or other administrative units that are formally brought to its attention by individual faculty members, and shall advise the appropriate departments and colleges in such cases. In all cases considered, the committee's formal recommendation shall be made known to all appropriate faculty and officers of the University, but unendorsed recommendations and the reasons thereof shall be made known only to the individual faculty member concerned, the department chairman and/or dean of the college, and the Provost.

This committee shall consist of three tenured professors and two tenured associate professors; at least one member of the committee shall be a woman.

COMMITTEE ON ACADEMIC FREEDOM

This committee shall study any condition within or without the University which in its judgment may affect the academic freedom of the University or of any of its members and shall report thereon to the faculty or its Senate.

The committee shall consist of three faculty members, of whom one shall be chairman; a designee of the President; and one undergraduate student and one graduate student.

COMMITTEE ON FACULTY WELFARE AND PRIVILEGES

This committee is charged to help develop general policies in the areas of promotion, tenure, appointment, reappointments, dismissal, salary adjustment, sabbatical leave, and other conditions of faculty employment, and to prepare recommendations concerning such policies for transmission to the Trustees through the faculty or its Senate, and through the President of the University, in accordance with Trustee Bylaw. It shall be available to hear, investigate, advise, and as far as it may be able mediate specific questions of individual faculty members in these *areas, seeking the informal resolution of possible grievances or complaints. It shall, with the acquiescence of both parties to a grievable or complainable dispute, receive and file copies of correspondence pursuant to such disputes, that it may better serve its legislative function, and that it may develop and maintain a file of precedent. The committee shall in addition review the adequacy of or require the establishment of adequate College or Division Committees of Review for those instances of individual faculty complaint which do enter the contracted grievance procedure.*

Nothing in the charge to this Committee shall operate to result in conflict with any current Collective Bargaining Agreement clause or requirement.

This committee shall consist of five faculty members one of whom shall be an assistant professor.

COMMITTEE ON INTERNATIONAL STUDIES

The Committee on International Studies shall coordinate, facilitate, stimulate, and encourage international study. It shall make recommendations and advise the University on appropriate policies and procedures to further international educational activities.

This Committee shall consist of five faculty members, one of whom shall be designated the chairperson, the International Student Advisor, one appointment by the Provost, one undergraduate student and one graduate student.

STUDENT JUDICIAL SYSTEM

The Vice President for Student Affairs has been assigned the responsibility to establish and administer the Student Judicial System within the philosophy formulated by the faculty (see Appendix B, Section E, pages 13-14).

SECTION II

CONDUCT OF THE ACADEMIC PROGRAM

I. GENERAL ADMINISTRATIVE RESPONSIBILITIES

The respective powers and duties of the faculty as a whole and of those faculty who are officers of the University are set forth in the Bylaws of the Board of Trustees (see Appendix B). These Bylaws delegate to the faculty as a whole the authority to provide for the establishment of curricula and courses and for the establishment of a program of extra-course education for students. In exercise of these powers the faculty has adopted a Senate and a set of committees with various functions. Their functions have been described in Chapter One.

To various designated administrative members of the faculty are assigned authority and responsibility for the administration of the regular and extra-course educational programs for students.

1. The President of the University is the chief administrative officer of the University and has responsibility for the appointment of the Provost, Vice Presidents, Deans, Directors, and Department Chairpersons. The President represents the University before the Board of Trustees and is its executive agent empowered with general supervision of the affairs of the University including the establishment of the University calendar.

2. The Provost, who is also Vice President for Academic Affairs, is the chief executive officer next in authority to the President. His responsibilities include the supervision of the academic programs of the entire University and the development and administration of the University budget. He is assisted by Associate Provosts for Instruction and for Research and Assistant Provosts for Special Programs, Continuing Education, and Budget Planning and Analysis.

3. The Deans of the Colleges have responsibilities for supervising and correlating the research, instructional, and educational activities of the colleges. Each Dean has primary responsibility for the curricula of the college, for faculty recruitment within the college, for the assignment of duties for all personnel within the college and for the quality of service rendered by those individuals, and recommends to the Provost on all salary increases, promotions, and on all appointments, non-reappointments and terminations within the college. In addition the Dean has primary responsibility for allocations of funds within the college, subject to review by the Provost.

4. Department chairpersons are also officers of administration as defined by the Trustees. The various responsibilities of the chairpersons set forth in the following edited description recommended by the Faculty Senate are in harmony with the Bylaws of the Board of Trustees.

> *The chairperson serves both as the chief representative of the department within the institution and as departmental administrator, responsible for communicating and administering policies and procedures of the University and for developing and organizing*

courses of study. Together with the dean and provost, the chairperson is charged with the recruiting and professional development of staff. Chairpersons make recommendations to the dean for faculty appointments, promotions, leaves of absence, tenure, salary increases and terminations of service. The chairperson will be expected to consult in a formalized way with the appropriate departmental body on matters of faculty status, excluding at the chairperson's discretion matters of individual raises and faculty course assignments. The chairperson should also establish appropriate vehicles for obtaining student opinion on curricular matters.

Departmental chairpersons are appointed by the President for five-year terms upon the recommendation of the college dean and the Vice President for Academic Affairs. These appointments are renewable for like periods. The advice of a majority of the faculty within the department is required for the appointment or reappointment of the chairperson. The President has the authority to replace a department chairperson at any time, after consultation with the Vice President for Academic Affairs and the appropriate dean, if he/she deems such action to be in the best interests of the department or the University. Tenure as a faculty member is a separate right. (Paragraph revised July 1, 1975.)

The chairperson is reviewed shortly before the expiration of his or her term, or sooner under special circumstances. A copy of the policy on chairperson review is available from the Dean of each College.

In addition there are academic units chaired by directors who have responsibilities similar to those of deans or chairpersons as the case may be.

5. The Vice President for Student Affairs is charged with responsibility for the total program of student personnel services, working through the Division of Student Affairs. The division works jointly with the colleges and the University Faculty Senate, and its committees, to help the student develop his/her total intellectual, social and personal potential. Faculty members are encouraged to view their responsibilities in light of this overall objective and to work with students individually and in groups to achieve this goal. The Committee on Student Life and the Student Affairs staff are available to assist the faculty in this endeavor.

II. SELECTED ACADEMIC POLICY STATEMENTS

Instruction is the most fundamental of the educational objectives of the University. The University fails in its primary mission unless it is able to foster the acquisition of knowledge and skills in its students. Research is of value in its own right, but its presence in the academic program is justified mainly insofar as this research contributes to excellence in the learning of its students. Moreover, a number of service activities within the University so complement the learning of students and faculty that they in fact constitute essential parts of the University's academic program. This is especially true of the services provided by the Library, the Instructional Resources Center, and the Computing Center. It is the stated objective of the University to foster the total intellectual, social, and emotional growth of its students, hence extra-course educational activities must be considered as integral parts of the educational program of the University.

The following policies and guidelines with regard to faculty responsibilities in teaching and research have been selected for inclusion in this handbook. A more complete manual on academic policies is available in the offices of department chairmen and deans. Complete policy statements on patents and copyrights are available in the designated offices.

1. Holding Classes

It is expected that all classes will be met as scheduled. In the event of illness, the chairman (or dean) should be notified in advance of the class so that alternative arrangements can be made. Authorization to miss classes for any other reason must be obtained in advance from the department chairman (or dean).

2. Examinations and Tests

Final examinations should be given according to the printed schedule issued by the Records Office. By prior arrangement with the department chairman (or dean), the faculty member may use alternative means of evaluation. Because the University does not operate with a formal honor system, faculty are responsible for proper monitoring of examinations and tests.

3. Student Dishonesty

All forms of student classroom dishonesty, i.e., cheating, plagiarism, etc., should be reported to the Dean of Students Office for possible referral to the Student Judicial System in accordance with procedures adopted by the University faculty. These procedures state that the academic grade cannot be used to discipline a student. When a student is accused of dishonesty and his/her case is referred to the Student Judicial System, an "I" grade should be given for work involved. If a student is found guilty, the faculty may then determine the appropriate grade for work involved. By action of the University faculty, disciplinary action should not be taken by individual faculty members in such cases.

4. Grades

A system of letter grades of A, B, C, D, and F is employed except that some courses are approved for grading Pass/Fail. With some restrictions, students may elect the Pass/Fail option for one elective course each semester. Students electing the option are graded with the usual letter grade, but the grade of P is entered into the academic record for any letter grade of D or higher.

Near the end of the semester, class lists will be provided each faculty member. These lists should be checked for completeness and discrepancies reported to the Records Office. Faculty are responsible for reporting a final grade for each student at the end of the semester, in accordance with Records Office guidelines. In the event that a student fails to complete a course for illness or other reason deemed adequate by the instructor, the grade of I (Incomplete) is given. The appropriate catalogs should be consulted concerning the various other grades used at the University.

Once a final grade has been recorded, changes can be made only with the authorization of the college dean, and, generally will be approved only where computational errors have been made.

Credit toward graduation is given for all courses in which the grade of D or higher is earned by the student; however, all grades are averaged to determine the satisfactory completion of graduation requirements. In graduate programs, grades of D and F cannot be counted toward a graduate degree.

5. Advisement and Registration

Faculty are expected to participate in advisement and registration as assigned. While the responsibility for course selection rests with the student, faculty advisers should be familiar with University course and degree requirements and be able to provide accurate information and thoughtful advice. All student course schedules must be approved by an adviser.

6. Student Class Attendance

By action of the University Faculty, the responsibility for defining attendance expectations is left to the individual faculty member. Thus it is of great importance that early in each course the instructor make clear to each student what attendance expectations are.

7. Improvement of Instruction Program

Each year in the fall, applications are invited for instructional improvement grants designed to assist faculty members with major innovations in improvement of teaching and courses. Generally these grants support faculty during the summer, but a few small grants are available during the regular semester. Announcements and applications are sent from the Provost's Office annually.

In addition, the Instructional Resources Center provides instructional technologists to assist in course development and educational measurement as requested.

8. Priorities in Research

Preference is given to projects that are directly related to the educational work of the faculty. Participation of students in research is considered important. University research is traditionally basic in nature, but in those cases where the University can be of service to the community, applied research is considered a legitimate university activity. The University does not undertake research that cannot be published, or that is militarily classified; nor does it house research that bears no relationship to its educational activities.

9. General University Research and Professional Development

The instructional budget of the University of Delaware provides funds to assist full-time members of the faculty in individual research and professional development. The University program for use of these funds is designated as the General University Research and Professional Development Program. Policies and procedures for the use of General University Research funds are contained in a memorandum available from the Coordinator of Research.

The Coordinator of Research announces, in the University Newsletter, closing dates for applications for the annual awards. The small Grants-in-Aid can be obtained by application to the Coordinator of Research at any time during the year.

10. University of Delaware Research Foundation

The University of Delaware Research Foundation, Inc., is a non-profit organization for the support of fundamental research at the University. The Foundation will support scientific (quantitative) research in any department of the University, giving special preference to younger faculty members. The aim of the program is to advance knowledge and strengthen the University of Delaware, as well as to contribute to the well-being of humanity. Application forms are available from the Research Office.

11. Research Contracts and Grants Administration

The University maintains an office for administration of fiscal aspects of research grants and contracts. This Grants and Contracts Office works closely with the Coordinator of Research and helps coordinate the administrative activities associated with University research. Assistance is given faculty members in the mechanics and budgetary details of research rights and obligations of the inventor, the University, and of outside sponsors who have contributed toward an invention. This policy is administered through the Coordinator of Research. Every member of the University community is expected to read, understand, and comply with this policy, copies of which are available from the Coordinator of Research.

Every invention, or patentable discovery, made by a faculty member, or others in the University, must be reported to the Coordinator of Research who will arrange to evaluate the invention, or discovery, under the terms of the policy. Faculty members are responsible for seeing that students, postdoctoral fellows, research associates, and technicians working under their direction comply with the terms of the policy. Advice and guidance on patents can be obtained from the Office of the Coordinator of Research.

14. Copyrights and Publishing

In accordance with custom established in institutions or higher learning, copyright ownership of textbooks and manuscripts and their royalties belong to the author except when the material is prepared as an assigned project, in which case it is the University's property.

Written material such as lecture notes, manuscripts, technical articles, music scores, computer programs, maps, dramatic compositions, works of art, etc. which are publicly distributed without copyright notice or provision for recall, become public property and the right to copyright is lost and cannot be restored. Faculty members are urged to place copyright notices on all material over which they wish to maintain control. Forms for copyright registration are available from the Office of the Coordinator of Research.

Except for the constraints imposed by funding agencies and/or by the University, faculty members are free to publish results of the research and scientific investigations. Constraints, if any, imposed by the granting agencies and/or the University are indicated at the time the grants are made. It is the responsibility of the department chairperson or director to be aware, along with the faculty member, of any such contractual obligations. When in doubt, the chairperson or academic director or college dean should refer the question to the Associate Provost for Research through the Coordinator of Research. Graduate and undergraduate theses and dissertations which are copyrighted are the property of the author. It is the responsibility of individuals who wish to publish or to reprint non-copyrighted theses and dissertations to receive appropriate clearance from the author(s) and the Associate Provost for Research.

15. Policy on Human and Animal Subjects in Research

The protection of the individual as a research subject is an obligation recognized and assumed by this University. Therefore, any study which involves human subjects must be performed under conditions which insure the rights and welfare of the subject through adequate safeguards and, generally, the informed consent of those involved. Such consent is valid, however, only if the individual is first given a fair explanation of the procedures to be followed, their possible benefits and attendant hazards and discomforts, the reasons for pursuing the research, and its general objectives. This is particularly important when the experimentation is not for the direct benefit of the subject. Safeguards should be especially stringent when the subject is legally, physically, or otherwise unable to give consent.

It is the policy of this University to require review of individual projects by an appropriate committee to assure that: 1) the rights and welfare of the individuals involved are adequately protected; 2) the methods used to obtain the informed consent are adequate and appropriate; and 3) the risks and inconveniences to the individual are outweighed by the potential benefit to him, or by the importance of the knowledge to be gained.

The use of animal subjects in research must be carried out with proper appreciation for the comfort and humane treatment of the animals. Abuse or improper use of animal subjects in research is prohibited. The University Committee on Animal Care must review projects which use animal subjects.

Additional information concerning these policies can be obtained from the Office of the Coordinator of Research or from the University Policy and Procedures Manual.

SECTION III

PERSONNEL POLICIES FOR FACULTY

There are three general sources for faculty personnel policies, federal and state government regulations, the collective bargaining agreement, and policies adopted by the University of Delaware through its governance procedures. A selection from this last-mentioned group has been made for inclusion in the handbook for faculty. In many cases the policy statements have been abridged. Full statements of the abridged policies may be obtained from the sources indicated. Copies of the Collective Bargaining agreement are furnished annually to faculty members.

A. CONDITIONS OF EMPLOYMENT

1. Academic and Administrative Personnel

All regular members of the teaching staff of the University are fully engaged for the whole year of fifty-two weeks. While normally members of the teaching staff are required to teach for only nine months annually, responsibilities of faculty to the University do not cease during the summer months. The summer period is provided for reading, study, research and travel related to the professional development of the faculty member as well as for providing a reasonable period for relaxation. Individuals who wish to engage in undertakings other than would fall within the foregoing categories must obtain written permission from the President of the University, except as provided by University policies listed in the sections to follow.

The terms of employment of the teaching staff require faculty presence on the appropriate campus from September 1 until after commencement, except during holidays and when administrative authorization for absence has been given. A proportionate amount of salary is deductible for each day of absence that has not been duly authorized.

Professional and administrative members with faculty appointments or faculty rank (and Agricultural Experiment Station and Extension Service personnel) are normally engaged for the fiscal year, with annual leave of twenty-two working days, exclusive of recognized holidays. This leave is non-cumulative from year to year, and is forfeited if not taken within the following fiscal year. Dates of annual leave are subject to approval of the department chairman or appropriate administrative officer.

After ten years of service, professional/administrative members may accumulate five vacation days from the previous year. With fifteen and twenty years, the maximum accumulations become ten and fifteen days, respectively.

Under no circumstances may a full-time faculty member be employed on a regular basis, full-time or part-time, by another educational institution, by a state or federal agency or in a private business without the written approval of the President or his designee, except as provided under the policy on outside employment, Section III-H.

Part-time faculty may be hired on an annual or shorter basis, either in the Continuing Education Division or for the regular academic program. Because there is no expectation of continued appointment, notice of nonrenewal is not required.

2. Retirement and Emeritus Status

Retirement from active service is mandatory at the end of the appointment year in which a faculty member reaches his sixty-fifth birthday. In rare instances and for exceptional reasons, by mutual agreement between the Board of Trustees and the individual concerned, a faculty member may be continued in service through annual appointments up to but not beyond the seventieth year.

Upon retirement the title of "emeritus" may be granted to full-time members of the teaching faculty in their highest earned academic rank upon recommendation of the Dean of the College and the approval of the Provost. The names of emeritus faculty are carried in the University catalog. In addition they are invited to all convocations and formal exercises and continue to have faculty privileges at the University library.

3. Access to Personnel Records

On a requested basis, data in the individual's personnel files, with the exception of confidential employment references sent to or solicited by the University, shall be available for inspection by the individual faculty member with proper identification. Records must be reviewed in the presence of an official in the particular records office, and may not be removed from the records office. Faculty members shall inform the appropriate administrative officer of a desire to see their records prior to requesting such information at the appropriate records office and shall make an appointment with the personnel official concerned indicating the specific information desired to be reviewed.

Upon approval by the Provost, copies of specific information requested may be supplied at the faculty member's expense.

B. ACADEMIC FREEDOM

It is recognized that if faculty members are to teach and carry on research effectively academic freedom is necessary. Academic freedom is the freedom of the faculty to teach and speak out as the fruits of their research and scholarship dictate, even though their conclusions may be unpopular or contrary to public opinion. Both within and outside the classroom the faculty should exhibit the accuracy, restraint, and respect for the opinions of others appropriate to educators and persons of learning. In relations with the public, they should make it clear at all times whether they speak as private citizens, as experts on the subject in question or as institutional spokesmen. In speaking as private citizens, faculty should make clear that they are doing so. In this connection, use of University titles should be permitted for identification purposes only and it should be made clear that institutional endorsement is not implied.

The following statements were passed by the University Faculty Senate and were adopted as policy by the University administration.

> *The maintenance of freedom of speech, publication, religion, and assembly (each of which is a component of intellectual freedom) is the breath of life of a democratic society. The need is greatest in fields of higher learning, where the use of reason and the cultivation of the highest forms of human expression are the basic methods. To an increasing extent, society has come to rely upon colleges and universities as a principal means of acquiring new knowledge and techniques, of conveying the fruits of past and present learning to the community, and of transmitting these results to generations to come. Without freedom to explore, to criticize existing institutions, to exchange ideas, and to advocate solutions to human problems, faculty members and students cannot perform their work, cannot maintain their self-respect. Society suffers correspondingly. The liberty that is needed requires a freedom of thought and expression within colleges and universities, (and) a freedom to carry the results of honest inquiry to the outside.* (AAUP Policy Documents and Reports, 1973 Edition)
>
> *Academic freedom is incompatible with censorship or surveillance of communications both on and off the campus. The monitoring or interference with communications emanating from a member or group of the University community cannot be condoned. Practices such as telephone tapping, University mail surveillance and stoppage, censorship at the Duplicating Center of materials emanating from within the University community, or censorship on bulletin boards designated for general use, are contrary to University policy.*

C. DISTRIBUTION OF FREE PUBLISHED MATERIALS ON CAMPUS

Freedom of expression is absolutely essential to the life of the University. In order to guarantee that freedom to every member of the University community, and in order to provide an atmosphere in which free and open debate will prosper, the following policies have been established governing the distribution of free published materials on the campus:

1. Members of the University community--all classifications of students, faculty, staff, and recognized campus organizations, may distribute free published materials on the campus with the understanding that they accept responsibility for the materials; the materials are labeled to indicate sponsorship and are distributed in accordance with this policy statement.

2. Any member of the University community may distribute free published materials at any point on campus except in the University bookstore; the library, excluding the outer lobby; and dining halls, excluding lobbies and checking tables.

3. Persons not members of the University community may distribute free published materials on the campus if they have obtained the sponsorship of a member of the University community, who has determined that the manner of distribution is in accord with this policy statement.

4. When, in the opinion of the University official authorized to make determination, the manner and/or place of distribution of free published materials constitutes a violation of this policy or a disruption of normal University activity, the official should inform the distributors of his opinion, and request that distribution be discontinued. If the distributors refuse, the official should advise them that they may face disciplinary action if they persist.

5. The University shall not limit the distribution of free published materials solely on the basis of what is contained in such materials.

The policy outlined above was developed by the former Committee on Student Publications, and concerns distribution by persons and groups. It was approved by this Committee and by Student Government Association and Graduate Student Association consultants and by the faculty in May 1969. The policy does not require the University to use its campus mail service or other forms of distribution to distribute items so sponsored by individuals' or groups.

Questions regarding the policy should be directed to the Office of the Vice President for University Relations and Business Management.

Faculty members should familiarize themselves with University policies concerning use of campus mail, bulletin boards, space and equipment and the like. The University charter states that *"The University shall never be managed or conducted in the interest of any party, sect or denomination"*. In addition labor law and practice sets limits on the activities of labor unions which are not collective bargaining agents. Questions concerning labor law and its interpretation should be directed to the Vice President for Employee Relations. The use of University mails and facilities for unauthorized solicitation of funds for causes unrelated to University operations or for private activities or concerns is not permitted.

D. TEACHING RESPONSIBILITIES

1. Regular Sessions

The full-time teaching assignment at the University of Delaware is twelve credit hours. In practice, however, the University adheres to a policy of "administered" teaching loads. Under this arrangement department chairmen and deans are encouraged to vary the teaching loads of individual faculty members so long as the total teaching obligations are met with the teaching personnel available. This flexible arrangement makes it possible for the chairman to make assignments of individual faculty members on a semester-to-semester basis to stimulate research and scholarship or to provide for unusually heavy committee assignments.

This administered teaching load is made possible by increasing efficiency in instruction without loss of quality or effectiveness through the development of innovative teaching methodologies such as common lectures, programmed learning, combined sections, and variable-credit options.

2. Continuing Education

The University provides continuing education opportunities both on and off the Newark campus. Faculty members are required to participate in evening teaching as requested. When such teaching is in excess of a full teaching schedule, additional compensation is authorized in accordance with the University policy on extra compensation. Continuing Education contracts are contingent upon sufficient enrollment.

3. Summer Sessions

The number and variety of courses offered during the summer sessions are dictated to a considerable extent by enrollments. Faculty are expected to teach in the summer sessions if requested to do so, and will receive extra compensation unless summer teaching is specifically required in the faculty member's contract or unless the faculty member is otherwise fully supported during the summer months. Summer session contracts are contingent upon sufficient enrollment.

4. Winter Session

The Winter Session is a five-week academic period between the fall and spring semesters designed to provide students opportunity to pursue a wide variety of on and off-campus educational programs under faculty supervision. Faculty are required to be fully involved in University activities during each Winter Session and will be compensated on an overload basis for teaching.

Regular University policies on absence from campus hold during the Winter Session and chairmen and deans are responsible for workload assignments during this period.

E. THE GRADUATE FACULTY

Membership in the Graduate Faculty is not automatic. Application for membership must be made to the Committee on Graduate Studies by the individual's department chairman, endorsed by two sponsors from the graduate faculty and approved by the dean of his college.

Membership in the faculty of the College of Graduate Studies is approved by the Graduate Dean acting for the Committee on Graduate Studies for those faculty with the Ph.D. or equivalent who have established themselves as productive scholars and researchers in their respective fields. This is normally taken to mean that the faculty member has several publications or other creative accomplishments in addition to the doctoral dissertation.

Membership in the faculty of the College of Graduate Studies permits the individual to teach courses for graduate credit, advise students writing theses, and otherwise participate in the master's and doctor's degree programs of the University.

The Graduate Dean is empowered to give permission to teach a specific course for graduate credit to faculty who do not qualify for membership in the Graduate Faculty. Such a privilege may be given to younger faculty just beginning their research and scholarly writing who have clearly established a high level of competence in their field of study.

F. FACULTY RESEARCH AND PUBLICATIONS

Research and publication are a significant part of each faculty member's total contribution as a member of the academic community. Faculty members must be engaged in some form of creative activity in their academic fields and it is expected that creative activity will be evidenced by publication, which not only signifies the completion of scholarly inquiry but makes it available to other scholars. The number and frequency of publications will vary with the individual, the field of study, and the proportion of time devoted to research; however, no faculty member can be excused from research and its publication on the grounds that all available time is devoted to other activities.

Conversely, teaching, advising, committee responsibilities and community service are not to be neglected on the ground that research and publication have a higher priority. Each faculty member is expected to make a balanced contribution to the University.

7. Instructional Television/Media Material Contracts

Prior to beginning production of any video tapes and media materials, in which the University has arranged for production facilities and/or given financial support, a contract covering the following points must be signed by all parties: ownership of tapes or media materials, compensation, televised lesson content, and editing or revision of the materials. A statement detailing these contract provisions can be found in the University Policy and Procedures Manual, Section 4-15.

H. OUTSIDE EMPLOYMENT

The first duty and responsibility of the faculty member is to render to the University the most effective service possible. At the same time, consultation and other activities of a highly professional nature are looked upon favorably and encouraged where these activities make a positive contribution to the University. No outside service or enterprise, professional or other, should be undertaken that might interfere with the discharge of this prime responsibility or bring the faculty member, as an expert or in any other capacity, into conflict with the interests of the University.

The University can assume no responsibility for private professional services rendered by members of its faculty, and it must be made clear to any employer that the work has no official connection with the University.

University facilities or equipment may be used for outside consulting activity only after written approval has been obtained from the chairman of the consultant's department, the dean, and the person responsible for operating the facility or equipment. In all cases, the consultant's employer will pay the rate established by the University for the use of the facility or equipment.

The obligations of a faculty member to the University Patent Policy must be made known to any outside employer before a commitment for consulting services is made when there would be any possibility of a conflict of interests.

A faculty member must keep the department chairman and the dean fully informed on the nature and extent of each arrangement that involves outside professional service. Under no circumstances should such outside employment or other activity exceed the equivalent of one day (eight hours) of a six-day week.

Course-type activities outside the University are not considered as consultation and require the approval of the President or his designee. Because of the possibility of conflict with regular University and Continuing Education programs, the department chairman and the Assistant Provost for Continuing Education should be consulted before any arrangements are contemplated.

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I. EVALUATION OF FACULTY

On recommendation of the Faculty Senate, approved by the administration, *"faculty members at all ranks should be subject to periodic reviews at reasonable intervals of time"*. The recommended intervals are at least every two years for Instructors and Assistand Professors, every three to five years for tenured Associate Professors, and every five to seven years for full Professors. These reviews are to be conducted by duly established committees of faculty.

A full statement of the policy, as amended by the Council of Deans and adopted by the University administration, may be obtained from the dean of the college or department chairman.

In addition, the department chairman reviews annually each department member on a Faculty Appraisal Form. This review is discussed with the faculty member and the form is signed by both the faculty member and the department chairman.

J. SALARIES

A good salary policy reflects basic canons of equity and fairness as well as a set of considerations that govern the institution's mission. The institution may properly recognize in its salary policies several factors, in addition to merit, that may result in salary differentials. Among these, the more important are differences in field, differences in function, and differences in market conditions. (American Council on Education, Equal Employment Opportunity Task Force Report)

Initial salaries are influenced by the considerations listed above. Annual salary increases are awarded subject to the terms of the Collective Bargaining Agreement negotiated with the faculty union, the Delaware Chapter of the American Association of University Professors. (Paragraph revised July 1, 1975.)

K. PROMOTION POLICY

Each department must have promotion criteria and procedures approved by the University Tenure and Promotion Committee and the Provost. These procedures must state, as specifically as possible, the criteria required for promotion to each rank and must provide for a suitable committee to make recommendations to the chairman concerning candidates for promotion. The chairman also makes an independent recommendation.

At the college level, a Promotion and Tenure Committee, selected by the college faculty in accordance with its bylaws, reviews and makes recommendations on all faculty members nominated for promotion by the departmental Promotion and Tenure Committee, by the department chairman, and/or by the faculty member himself. Their recommendation and reasons, as well as the recommendation of the dean, are transmitted to the next level, except that where both the college dean and the college Promotion and Tenure Committee recommend against promotion, the candidate will have the option to withdraw the promotion request.

The University Senate Committee on Promotion and Tenure will forward to the Provost, with its recommendations, the names and dossiers of all faculty members considered by them for promotion together with the record of actions taken by all other bodies. Final decisions are made by the President on recommendation of the Provost, subject to confirmation by the Board of Trustees.

Candidates for promotion are notified of the recommendations made at each level and of the reasons for negative decisions.

The full policy statement, adopted as recommended by the Faculty Senate, is available from the department chairman or dean on request.

It is University policy to keep an overall balance between the number of faculty in the upper two ranks and the number in the lower ranks. This ratio holds for the University as a whole but may vary widely from department to department.

L. TENURE

Professors at the University of Delaware are normally appointed with tenure (without term) either on first appointment or upon promotion to this rank.

Associate professors appointed from outside the University are normally given a three-year initial term. All reappointments which are other than terminal will normally carry tenure. Faculty members promoted to the rank of associate professor from within the University will normally be given tenure if they have served on the University faculty for at least three years before promotion. If they have less than three years' service, the initial term as associate professor will be adjusted to the individual case. Unless terminal, reappointment to a fourth year of service will normally carry tenure.

Assistant professors are appointed for an initial term of from one to three years. First reappointments at this rank are normally for three-year terms. Appointments beyond the sixth year will be on an annual basis.

Appointments and reappointments for instructors are on an annual basis.

In rare circumstances and for unusual reasons, by action of the President and with the approval of the Trustees, appointment without term may be extended to faculty and staff members holding a rank other than that of professor or associate professor. Currently there are no such tenured faculty.

Those members of the faculty who are hired with the understanding that fifty percent or more of their salaries are derived from nonrecurring funds with a specified cut-off date shall not be eligible for tenure. However, a faculty member initially so financed, who is later given a contract financed with regular funds, shall become eligible for tenure and may count all years at the University toward such eligibility. Faculty members on nonrecurring funds shall be notified of this fact and shall have an appropriate notation to that effect on all contracts.

M. RESIGNATIONS

Accepted professional practice requires that resignations be submitted by letter to the department chairman no later than April 1 or 30 days after receiving notification of the terms of his continued employment the following year, whichever date occurs later. Except by mutual agreement with the appropriate University administrator, resignations by the teaching faculty to become effective during the academic year cannot be accepted.

In the case of Agricultural Experiment Station and Extension Service personnel, resignations will be made by letter to the head of the department in the Experiment Station and to the Director of the Extension Service sixty days or more in advance of the date on which the resignation is to become effective. Any accumulated leave must be taken prior to date of resignation and at the convenience of the department concerned.

N. TERMINATIONS AND NONRENEWALS

A clear understanding of the terms of the contract between the faculty member and the University is a prerequisite for a harmonious relationship. Within the terms of his contract, a faculty member at the University of Delaware is assured that an appointment will be terminated only for adequate cause--incompetence, gross irresponsibility, or moral turpitude--except for retirement because of age or termination caused by extraordinary financial circumstances.

Should termination be proposed before the expiration of a contract, upon the request of the faculty member concerned the Committee on Welfare and Privileges will consider the case. Where the facts are in dispute, the faculty member in question shall be informed in writing, prior to the hearing, of the reasons for the action, shall have the opportunity to be heard in his own defense by all bodies that pass judgment on the case, and shall be permitted to have advisers of his own choosing in his presentations. Termination of the appointment of a faculty member for cause not involving moral turpitude or gross irresponsibility shall become effective after one year's notice of the final decision to terminate.

In the event of a decision not to renew, the faculty member shall be informed of the decision and of reasons which contributed to that decision. An opportunity to request a timely reconsideration by the decision-making body is provided. A faculty member who alleges that academic freedom has been violated by the decision-making body, or that the decision-making body did not give adequate consideration to the circumstances, may petition the appropriate faculty committee. Ordinarily notice of non-renewal will be given in writing and in accordance with the following standards recommended by the Faculty Senate and approved by the administration.

1. *Not later than March 1 of the first academic year of service, if the appointment expires at the end of that year; or, if a one-year appointment terminates during an academic year, at least three months in advance of its termination.*

2. *Not later than December 15 of the second academic year of service, if the appointment expires at the end of that year; or, if an initial two-year appointment terminates during an academic year, at least six months in advance of its termination.*

3. *At least twelve months before the expiration of an appointment after two or more years in the institution with the exception of instructors and lecturers with one-year appointments, who shall be notified not later than December 15.*

O. LEAVES OF ABSENCE

1. Leaves of absence for one or more semesters without salary may be arranged for the purpose of engaging in faculty exchange, completion of degree requirements, scholarly work under foundation fellowships or grants, research, or public service, without prejudice to future promotions in rank or salary, provided that the period of absence is reasonable and does not work an unwarranted hardship upon the University. An individual who anticipates applying for leave should confer with his department chairman or the dean of the college before initiating any negotiations. Leaves of absence without salary are not available to faculty who wish to take temporary employment elsewhere that affords no real intellectual advancement.

Short leaves of a day or two that do not interrupt a regular schedule may be arranged informally with the department chairman or the dean concerned. For longer leaves, a formal request should be submitted to the President through the dean and the Provost, and are dependent upon administrative approval.

2. Sick Leave

The University has an informal policy with respect to sick leave for faculty. Individual cases are handled so as to impose the least possible hardship on the faculty member and his family within the resources of the University. Hospital confinement or sickness that exceeds three days should be reported in writing to the dean's office.

3. Maternity Leave

Female employees desiring a maternity leave of absence are required to notify their department heads at least one month prior to the date of the requested leave in order that replacements can be arranged during the time of their leave of absence. (It is expected that employees will follow the advice of physicians as to the length of time worked during pregnancy.)

A request for maternity leave carries with it the intention to return to full time University employment within one year of termination of pregnancy. Teaching faculty are normally expected to resume active employment at the beginning of the next semester following termination of pregnancy. If extenuating circumstances warrant, teaching faculty may defer resumption of active employment until the beginning of the second semester following termination of pregnancy. Should the faculty member not return to active employment by the beginning of the second semester following termination of pregnancy, there will be no obligation on the part of the University to hold the position open.

An employee on maternity leave who resumes active University employment will return to the same, or comparable, position held at the time of beginning maternity leave.

Employees taking maternity leave will have their fringe benefits continued by the University until the end of the month in which the leave of absence begins. After that date, the individual may continue health and life insurance programs at her expense, including disability insurance where applicable.

Employees eligible for sick leave benefits, who choose to continue their employment during pregnancy, will be entitled to receive sick leave benefits if they are certified by their physician as being unable to work due to disabilities caused or contributed to by pregnancy, miscarriage, abortion, childbirth, and recovery therefrom, on the same basis as other employees incurring non-occupational illnesses.

Faculty members not covered by a sick leave schedule, who continue their employment during pregnancy and are certified by their physician as being unable to work due to disabilities caused or contributed to by pregnancy, miscarriage, abortion, childbirth, and recovery therefrom, will be entitled to the same employment policies and benefits extended to other faculty members incurring non-occupational illnesses.

4. Sabbatical Leaves

Sabbatical leaves may be granted to full-time assistant, associate, and full professors, and to administrators holding academic rank, with either or both of the following aims: (1) to provide time for research or other professional or creative activity; (2) to provide time for improvement of instructional materials and techniques or their administration. Leaves may be for a full year at half salary or a half year at full salary after six years of full-time service; or a half year at half salary after three years of full-time service.

The person seeking a sabbatical leave must file a written proposal outlining the nature of the program to be undertaken and the benefits to the individual and to the University that may reasonably be expected. The department chairman and dean, in consultation with an appropriate committee, if any, will evaluate the proposal and indicate a priority rating for the project and the manner proposed to absorb or fill the vacancy thus created, if approved. University policy stipulates that the granting of the leave must not result in additional costs to the University. Final determination is made by the Provost. Sabbatical leaves are not automatic. Proposals may be rejected because of lack of merit or low priority or may be deferred because of staffing problems.

The recipient of a sabbatical leave is required to return for at least one full year's service at the conclusion of a sabbatical leave (one-half year at the conclusion of the briefer sabbatical leave). If a faculty member resigns during or at the completion of a sabbatical leave, the salary that was received while on leave must be reimbursed the University.

A full statement of policy on sabbatical leaves is available from department chairmen.

5. Benefits While on Leave

If the leave is with salary, the University and the recipient shall both continue to carry respective financial responsibilities for group life insurance, retirement annuity, hospitalization and major medical insurance, and other benefits. However, if a recipient participating in the TIAA-CREF annuity plan wishes, he may elect to reduce his premium in the same proportion and for the same period as his total salary is reduced while on leave. In all instances, however, the University's premium payments will remain at their usual level. (This option is not available to participants in the New England Mutual annuity plan since such contracts do not permit temporary reductions in premium.)

Faculty members on approved leaves of absence without pay will have their fringe benefits continued by the University until the end of the month in which the leave of absence begins. After that date, the faculty member may continue health, life insurance and total disability programs and individual contributions to pension programs at their expense.

P. ALCOHOLISM POLICY

It is University policy to assist the rehabilitation of any faculty member, professional or staff employee whose performance is adversely affected by alcohol. When, in the opinion of certain designated persons among whom is the University Psychiatrist, a person's work is affected by an alcohol problem, the University will; on the request of the person concerned, provide free of cost up to thirty days of treatment at a University-selected treatment center. Failure to be rehabilitated may be grounds for termination under established University policies and procedures. A copy of the full policy is available in the office of the department chairman.

Q. EMPLOYMENT OF MEMBERS OF THE SAME FAMILY

Members of the same immediate family whose qualifications rank each of them first for the positions under consideration may be employed, either on a full-time or a part-time basis, so long as neither member is responsible for the supervision, direction, evaluation, or merit recommendation of the other. All such cases involving employment of members of the same family must be approved by the Provost.

R. AFFIRMATIVE ACTION

The University of Delaware has a commitment to the principle of equal employment opportunity for minorities and women and has developed a three-step Affirmative Action plan to rectify imbalances of opportunity that still exist despite a policy of nondiscrimination. The first step is to reassert the principle of equal employment opportunity in statements and advertisements to the effect that the University of Delaware is an "Equal Opportunity and Affirmative Action Employer".

The second is to reaffirm that those private organizations such as contractors or subcontractors doing business with the University or those firms recruiting through the University shall not discriminate against any person because of race, sex, color, religion, national origin, political affiliation or ancestry.

The third is to develop and implement an affirmative action plan designed to improve the proportion of minority and women employees in the University's work force in general and in management and faculty positions in particular.

S. ACADEMIC SUPPORT SERVICES

1. Library regulations have been recommended by the Senate Library Committee and are intended to provide equitable access to library materials for faculty and students.

A faculty member's identification card is required to check out books which can be on an extended loan for one semester, subject to recall if requested by students or other faculty. Faculty members will be billed for the replacement cost of books lost while charged out to them.

Current issues of periodicals do not circulate. Bound volumes of periodicals circulate and may be taken out by faculty for one week only.

A limited number of faculty studies and carrels are available on a first come, first served basis. Assignments are made by the semester on application to the office of the Director of Libraries.

2. The Instructional Resources Center provides a variety of audio-visual equipment, materials, and professional services to support the instructional program of the University. The Center is continuing to broaden its services through consultation with faculty members on the selection, production, utilization, and evaluation of instructional materials such as slides, films, audio or video tapes, overhead transparencies, simulation and programmed instruction. Professional staff members are available for in-service seminars and consultation on course development and evaluation.

3. The University of Delaware Computing Center, located in Smith Hall, is the central computing facility on campus. The objective of the Center is to provide effective campus-wide computing services in response to varied requirements for educational, research, scientific, and administrative computing.

4. The University does not operate its own press. However, the University is a member of Associated University Presses, a subsidiary of A. S. Barnes, Inc., which publishes under the imprint of the University of Delaware Press. Authors should submit their manuscripts to the chairperson of the Editorial Board, 326 Hullihen Hall.

T. FACULTY, PROFESSIONAL, AND STAFF TRAVEL

To encourage active membership and participation in professional, scientific, and educational organizations, funds are allocated each year to the various colleges and divisions for faculty travel. In general, to the extent funds permit, University philosophy is that faculty, professional, and staff members should be supported reasonably for travel that is professionally and institutionally justifiable.

A. Reimbursement for full or partial expenses may be approved according to the following criteria:

1. Full expense reimbursement within the limits listed below may be given to those faculty, professional, and staff members who are designated to represent the University at meetings, or who have important parts in programs, or who are officers in national educational, scientific, and professional organizations and learned societies, or who travel on University or college business where such is a normal part of the routine required by the position, special assignment, or sponsored research obligations. When reimbursement for transportation, lodging and meals has been authorized, it is the University's policy to reimburse for these expenses up to the limits shown below. Although in some cases these limits will permit reimbursement for the total expense incurred, there will be instances (e.g., when lodging or meals are exceptionally expensive) in which the faculty, professional, or staff member will be expected to pay the difference between the expense incurred and the University maximum.

2. Partial reimbursement (usually transportation) may be given to those who attend meetings of educational, professional, and scientific organizations and learned societies at their own request and for their professional development.

Meeting the above criteria does not guarantee reimbursement for travel expenses. Each request is considered on its own individual merits within the funds available.

B. More specific operational procedures and guidelines are presented below. These regulations apply to all travel, regardless of source of support. Travel reimbursement requests not conforming to the policies as stated will not be honored.

1. Request for Authorization for Travel

Only regular full-time faculty, professional, and staff members are permitted to travel on University funds. All travel out of the state, or which involves missing classes, requires prior approval by the appropriate authority. Travel undertaken without this prior approval may result in denial of reimbursement.

Forms requesting authorization for travel may be obtained in the departmental offices. All information requested should be provided. Only very rarely should travel be undertaken which results in missing classes, and in every case the form must indicate what alternate provision has been made for meeting campus assignments.

2. Authority for Approval

Department chairmen and directors may approve travel within the continental United States with the exception of Alaska. Travel to Hawaii and Alaska requires the approval of the appropriate dean or administrative officer and of the Provost. All foreign travel (including Canada and Mexico) must have the approval of (1) the appropriate dean or administrative officer, (2) the Provost, and (3) the President.

3. Research Travel

In addition to understanding these University policies, faculty members traveling under research contracts should familiarize themselves with any special restrictions on travel imposed by the contract. Special travel or travel outside the country on research funds must be cleared by the granting agency as well as by the University. Requests for authorization to travel must be within the amount budgeted for travel in the research contract, unless a request for budget revision accompanies the travel request. Requests for reimbursement should not exceed the limitations imposed either by the research contract or by the University. Graduate students may travel on research funds only if the grant authorizes graduate student travel.

4. Automobile Travel

Automobile travel for one person only is usually restricted to within the State of Delaware and not beyond a 150-mile radius of Newark. If a number of faculty, professional, or staff members travel together, use of an automobile may be authorized for the group for greater distances. In these cases, normal allowance of mileage (12¢ per mile), road and bridge tolls, and parking will be reimbursed the driver. Should a personal car be driven for longer trips, reimbursement will be made on the basis of economy air fare, rail coach fare, or automobile mileage, whichever is least.

Before taking a trip by automobile, availability of a University car should be determined. If a University car is used, mileage will be charged to the appropriate travel account; tolls and parking will be reimbursed the driver. Credit cards for gasoline may be obtained at the Office of Plant Operations.

When a rental car at destination is necessary, prior approval should be obtained and a credit card that gives fleet rates for rental cars obtained from the Office of Plant Operations. If non-fleet rates are incurred, the University will reimburse only the fleet rates.

Whether a personal or University automobile is used, the individual is responsible for any costs incurred for traffic or parking fines and for any repairs to his/her personal vehicle.

The policy covering automobile insurance coverage for University-owned vehicles, leased vehicles, and privately owned vehicles is available in the offices of the department chairperson and is stated in the University Policy and Procedures Manual, Section 3-1.

5. Public Carrier

Regular coach train or economy air fares are authorized. Reimbursement for overnight train accommodations (sleeper car, roomette, bedroom, etc.) is not authorized. If the individual chooses this type of transportation, reimbursement will be for an amount not to exceed the coach train or economy air fare. When traveling by plane, first-class accommodations will be permitted only if tourist class cannot be obtained. In each such case, a full explanation of the reasons for higher cost travel must be submitted with the request for reimbursement. Receipts should be obtained and submitted with the request for reimbursement.

6. Use of Personal or Leased Aircraft

Personally owned or leased aircraft may not be used on University business without the specific prior written approval of the Provost. A certificate of Aircraft Liability Insurance should be submitted and approved by the Assistant Treasurer for Revenues and Insurance prior to use of the aircraft.

7. Hotel Accommodations

It is expected that minimum hotel rate accommodations will be requested, taking advantage of any convention or educational discounts. Hotel receipts must be obtained and submitted with the request for reimbursement. If more than one person attends meetings, double rooms should be obtained. The rate of reimbursement will not exceed $25 a day exclusive of tax. If the receipt shows charges in excess of this amount, the difference will be paid by the individual. Should a faculty member and spouse be traveling together, reimbursement will be based on charges for single occupancy. The faculty member should request the hotel to indicate the single rate on the receipt for room payment.

8. Meals

Whenever possible, receipts for meals should be obtained. In any case, meal costs must be itemized on the request for reimbursement. The maximum amounts that will be reimbursed for meals are shown below and include tax and gratuities. The amounts are maximums and do not constitute a daily meal allowance.

Breakfast	not to exceed	$2.50
Lunch	not to exceed	$3.50
Dinner	not to exceed	$7.50

When authorized to attend convention or association banquets, or to arrange for meals at restaurants for guests of the University, receipts must be obtained and submitted with the request for reimbursement. The University will not reimburse faculty or staff for their own meals unless incurred in the course of official travel outside of the State of Delaware.

9. Miscellaneous

Luggage, telephone, and service charges should be itemized on the request for reimbursement, not included as part of the hotel bill. Taxi, bus, and subway charges should be itemized. Registration fees should be substantiated by a receipt.

10. Prepaid Registration Fees

When registration for a seminar or conference is to be paid in advance, a Request for Check should be issued directly to the sponsor. The request should be accompanied by a letter or registration form, and will be mailed direct by the Accounting Department. The payment must be charged to the Travel code.

11 . Non-Allowable Expenses

No charges to the University for alcoholic beverages are permitted by action of the University Trustees. In addition, charges for travelers checks, baby sitting fees, boarding of pets, flight insurance, personal telephone calls, valet service, and Metroliner Club Car differential are representative of other non-allowable items.

12. Cash Advance

The University may provide a cash advance to assist the individual in financing University-authorized travel. Cash advances will not be approved for more than the amount authorized on the travel authorization or for less than $50. Requests for advances must reach the Accounting Office at least one week prior to the time they are required. Faculty, professional and staff members who have received such advances must settle with the Accounting Office within 30 days of their return to the campus. Any cash advance not settled within the 30-day period may be deducted from the individual's next paycheck. Normal reimbursement will then be made when the final travel accounting is settled. A request for an advance will not be approved if there is a previous cash advance not settled within the 30-day period.

13. Request for Reimbursement

The request for reimbursement should be submitted promptly after return to the campus on a University of Delaware Reimbursement of Personal Expenses Invoice. All receipts and tickets and the approved canary copy of the travel authorization form must be attached to this request. Should the request exceed the amount originally authorized, an explanation should be attached.

14. Approvals of Travel Vouchers

Faculty, professional, or staff members may not approve their own travel vouchers. Vouchers for reimbursement are to be approved as follows:

(a) Faculty, professional, and staff members - approved by -

department chairman or director.

(b) Department chairman or director - approved by dean or administrative officer concerned.

(c) Dean or administrative officer - approved by the Provost.

U. NON-REIMBURSABLE MEAL COSTS

The University will not reimburse individuals for the cost of University-related breakfast, luncheon or dinner meetings since it is University practice to hold such meetings during normal working hours. This prohibition includes the direct charging of meals to University accounts.

V. ENTERTAINMENT OF UNIVERSITY GUESTS

All of the policies and procedures with regard to reimbursement for travel, including maximum allowances for meals, apply to the entertainment of guests of the University.

Arrangements for meals for candidates or official guests visiting the University should be made in the Faculty Dining Room or Blue and Gold Club whenever possible. Within the limits stipulated in the travel policy, the University will reimburse the cost of the candidate's or guest's meal and up to four representatives of the University (this includes students, faculty, professionals, and staff). When the candidate's spouse is present, the University will reimburse the cost of their meals and that of four University representatives (including spouses).

Receipts for all meals should be obtained and submitted with the request for reimbursement. The request for reimbursement must indicate the name of the guest; the purpose of his or her visit; and the names of the University members for whom reimbursement is requested.

W. OFFICE HOURS OF FACULTY

The posting of office and teaching hours by faculty members is a courtesy as well as a necessary convenience for students. It is anticipated that faculty will post and keep a reasonable number of office hours each week.

X. ATTENDANCE AT CONVOCATIONS AND COMMENCEMENT EXERCISES

Faculty members are expected to attend the formal exercises of the University. It is the responsibility of individual faculty members to provide their own academic caps and gowns on all such occasions. The University Bookstore will assist faculty in the rental of caps and gowns or will help arrange a time payment purchase plan.

Y. ENGAGEMENT IN POLITICAL ACTIVITY

The position of the University of Delaware as a tax-assisted but nonpolitical institution imposes on faculty members special responsibilities for the use of good judgment in political matters. The University also recognizes the constitutional right of its faculty members to assume the responsibilities of citizenship in governmental affairs. Faculty members proposing to engage in political activity are expected to notify the President of the University in advance. In most instances, the President will require only the assurance of the individual that the contemplated activity will not interfere with his academic responsibilities. If the faculty member proposes to run for significant public office on a partisan ticket or to engage in political activity of similar scope, the President may require him to apply for leave of absence without pay, particularly if such activity will require a substantial amount of time and attention. Under the Charter of the University, neither University facilities nor equipment may be used to support political parties or candidates.

Z. CONFLICT OF INTEREST AND ETHICAL CONDUCT

What constitutes conflict of interest or unethical conduct on the part of those affiliated with a college or university has a moral as well as a legal base. The officers, faculty members and other employees of the University are expected to maintain at all times relationships and practices in their University activities that are legal, ethical and morally correct. It is essential that all employees of the University conduct University business and their private business and financial affairs that might impinge upon the University in a manner that stands the sharpest scrutiny by those who would seek to find wrongdoing. It is also essential that the University have on record a written statement of this expectation of its employees.

The best way to ensure propriety and avoid even the semblance of wrongdoing is for all employees to follow a practice of full prior disclosure in writing of any association, relationship, business arrangement, or circumstance that might suggest to disinterested and objective referees that decisions were made contrary to the best interest of the University and for personal gain or the gain of family, close friends or non-University business associates at the expense of the University. Interests and actions that might otherwise be questionable may be judged to be entirely proper if the rule of full prior disclosure is followed.

Questions related to this policy should be directed to The Office of the University Secretary.

SECTION IV

COUNCILS AND ADMINISTRATIVE COMMITTEES

IV. COUNCILS AND COMMITTEES OF THE UNIVERSITY

A. Organization of the University

See chart at front of Handbook.

B. Councils and Committees

The President and other administrators are assisted in their responsibilities by a number of councils and committees. Those councils which have direct bearing on academic programs are described in this handbook. The faculty committee structure was described in Chapter I.

1. President's Cabinet

The Cabinet acts as the principal advisory body to the President on all matters of general importance to the University, and its relationship with other constituent groups. It serves as a primary vehicle for coordination of policies and activities which cross administrative lines. It also establishes the agenda for the General Council.

The Cabinet is chaired by the President and includes in its permanent membership the Provost and Associate Provosts, all Vice Presidents, the Treasurer, and the University Secretary. In addition, an academic dean and a department chairman are appointed each semester.

2. General University Council

The General Council advises the President on matters of general interest to the University including the calendar, utilization of University facilities, budget matters, physical planning as it relates to educational priorities, and special events and their scheduling.

The Council is chaired by the President and includes the three officers of the University Faculty Senate, the chairman of the Senate committees on Campus Life, Physical Planning and Utilization, and Adjunct Academic Affairs, a representative from central administration, representative academic deans, department chairmen, professionals, and undergraduate and graduate students. Permanent members are the Provost, the Vice President for Student Affairs, and the University Secretary.

3. Council of Deans

The Council of Deans is the principal advisory body to the Provost on policy regarding the conduct of academic programs and serves as a general forum for the discussion and resolution of problems relating to the administration of academic programs. The Council of Deans serves as a principal mechanism for communication to and from the academic departments on conduct of academic programs.

The Council is composed of the Provost, the Associate Provosts, the Assistant Provosts for Special Programs and for Continuing Education, all Academic Deans, and the Director of the Division of Physical Education, Athletics and Recreation.

4. Academic Council

The Academic Council has as its purpose advising the Provost on broad academic problems which transcend the departments and colleges. It serves as a vehicle for discussion of budget and policy questions relating to the total span of the Provost's Office.

Membership of the Academic Council comprises the Provost, Associate and Assistant Provosts, the deans and directors of academic programs, the Dean of Students, and the directors of academic support activities including the Library, Academic Planning and Evaluation, Admissions, Records and Financial Aid, the Computing Center, and the Instructional Resources Center.

5. Council on Program Evaluation

On the recommendation of the University Faculty Senate, the Council on Program Evaluation (COPE) has been established to advise the Provost with regard to evaluation of administrative, public service and academic programs. Its major task will be the periodic in-depth evaluation of individual programs, including also evaluation of proposed new programs or proposed major reductions or elimination of programs.

The Council on Program Evaluation consists of eleven members appointed by the Provost with the concurrence of the University Faculty Senate. Of the members, five shall be faculty without administrative appointment, and there shall be at least one undergraduate and one graduate or professional student.

6. Advisory Councils

Each of the Vice Presidents and Deans has one or more advisory councils to assist in meeting the responsibilities of that office. The composition of these councils shall reflect the various personnel which constitute that office or college and those groups of students served by that office or college. In each college there is a student College Council as well.

7. Council on University Extension

The purpose of the Council on University Extension is to advise on educational programs that reach out into the state to help citizens deal more intelligently with the problems that society faces. Its further purpose is to assist in shortening the time lag between the discovery of new knowledge and its application to solving societal problems.

Membership includes the Vice President for University Relations and Business Management who chairs the Council, the Provost, the Associate Provost for Research, the deans of the colleges, the directors of academic program divisions, and the directors of Continuing Education and of the Cooperative Extension Service. In addition, there are two representatives of the College of Arts and Science.

8. Council on Health Professions

The Council on Health Professions is established to exchange and disseminate information relating to health profession education, to generate ideas for possible new educational programs in the health fields, and to exchange research information and to stimulate research projects.

The Council is chaired by the Director of the Division of Health Sciences and comprises the Associate Provost for Research, the Dean of the College of Nursing, and a representative from the College of Home Economics, the College of Nursing, the Division of Health Sciences, and the Departments of Animal Science and Agricultural Biochemistry, Biological Sciences, Chemical Engineering, Chemistry, Psychology, and Sociology. One representative of the student body also sits on the Council.

9. Council on Teacher Education

The Council on Teacher Education advises the Dean of the College of Education and the Provost and meets to consider such matters relating to teacher education as the executive committee of the Council may determine.

The Council on Teacher Education consists of nineteen members broadly representative of the colleges and departments which provide instruction for prospective teachers, Faculty Senate committees, and the undergraduate and graduate students of the University. The executive committee consists of the Dean of the College of Education, a representative of the Dean of the College of Arts and Science, the chairman of a Faculty Senate committee, and two faculty members, one from the College of Arts and Science and one from the professional schools. A student member is selected by the executive committee.

10. Faculty-Trustee Committee on Honorary Degrees

The Committee on Honorary Degrees considers all nominations for honorary degrees. Its recommendations for the awarding of honorary degrees are referred to the University faculty or its Senate. The committee reports its recommendations together with the action of the faculty to the Executive Committee of the Board.

Nominations for honorary degrees may be made to the Chairman of the Board of Trustees, the President of the University, or the Chairman of the Committee on Honorary Degrees. Honorary degrees, once approved by the Board, may be conferred at any time the Board directs.

The committee consists of seven members, four of whom are members of the Board of Trustees appointed by the Chairman of the Board, and three of whom are members of the University faculty appointed by the President of the University.

11. Athletic Governing Board

The Athletic Governing Board membership includes two faculty representatives, one of whom must be a woman, a representative of the Alumni Association, the President of the University, the Director of Physical Education, Recreation and Athletics, and two student representatives, one of whom must be a woman. The faculty and alumni members are appointed by the Chairman of the Board of Trustees and the student representatives are appointed by the Chairman from among the captains of the men's and women's teams participating in intercollegiate athletics.

The Athletic Governing Board, under the direction of the Trustee Committee on Physical Education, Athletics and Recreation and the Board of Trustees, has responsibility for the University's intercollegiate athletic programs for men and women, including scheduling and financing. The Governing Board meets at call during the year and reports on its activities to the Trustee Committee on Physical Education, Athletics and Recreation.

12. President's Advisory Committee on Planning and Construction

The President's Advisory Committee on Planning and Construction (PACPAC) advises the President on the planning, programming, design, construction, equipping and furnishing of new buildings and existing ones which undergo major renovations. (Paragraph revised July 1, 1975)

Chaired by the Associate Vice President for Administrative Services, the committee consists of all permanent members of the Cabinet except the President, plus the Assistant Vice President for Operations and Services. A representative of the Trustee Committee on Grounds and Buildings is invited to attend meetings on a regular basis.

13. Capital/Space Advisory Committee

The Capital/Space Advisory Committee is charged with the responsibility for making recommdnations to the President and the Provost on the physical development of the campus to meet existing and future needs of the University's educational program.

Its membership consists of the Dean of the Graduate College, deans of the colleges, and the directors of Health Sciences, Physical Education, and Morris Library.

14. Professional/Administrative Personnel Committee

The Professional/Administrative Personnel Committee (P/APC) is charged with determining criteria for professional/administrative positions, with the review of position descriptions and reclassifications, with the recommendation of policies on personnel standards, working conditions and other related matters, and with reviewing professional personnel benefits and recommending appropriate changes in these benefits to the President.

The membership consists of four directors, four professional members, the Director of Organizational Development as Secretary and four Cabinet-level members including the Vice President for Employee Relations who chairs the committee.

15. Computer Advisory Committee

The Computer Advisory Committee advises the Provost in establishing general policies with respect to campus computing for both academic and non-academic operating groups. All requests for acquisition, modification, or elimination of computing resources are referred to this committee. The committee also recommends on priorities for allocation of computer resources.

Its membership consists of the members of the University Faculty Senate Computer Committee, the Provost, the Associate Provost for Research, and persons selected from areas which are heavy users of computing resources and is chaired by the Provost or his designee. (Paragraph revised July 1, 1975)

16. University Safety Committee

The University Safety Committee is delegated by the President with the authority and responsibility to recommend safety policies, procedures and regulations; to determine responsibility and authority to implement policies, procedures and regulations established by the committee; and to review procedures and recommendations to prevent accidents.

The committee is chaired by the Vice President for Employee Relations and membership includes representatives of the various academic areas, Office of Safety Coordination, student and employee groups, Student Affairs, Security Department and University operating departments.

SECTION V

PERSONNEL BENEFITS AND MISCELLANEOUS INFORMATION

A. GROUP LIFE INSURANCE

A group term life insurance program is available to all full-time faculty members at no cost to the individual. The program provides insurance at two times salary rounded to the nearest thousand. It is canceled upon termination of service, except that within 30 days of termination of employment, the full amount or a portion of full coverage may be converted to an individual policy upon application to the insurance company and payment of current rates. Conversion forms are available from the Benefits Section of Personnel Services.

B. HOSPITALIZATION

The University pays the individual cost of basic Blue Cross/Blue Shield medical-surgical insurance for full-time faculty members who desire to participate. Additional comprehensive benefits may be elected. The individual is required to pay the cost of elected options and family coverage.

If application for Blue Cross and Blue Shield is made within 30 days of entering the employ of the University, the policy becomes effective the first of the following month. If application is not made within 30 days of employment, the application cannot considered until a "group reopening" is scheduled. This occurs twice a year. If, however, the applicant is already a member of a Blue Cross/Blue Shield plan, he may make application for transfer to the University group without loss of benefits or a waiting period and, hence, preserve continuity of coverage. Once an individual becomes a member of the Blue Cross Plan and leaves the employ of the University, he may continue his membership by making payments directly to Blue Cross and Blue Shield or by transferring to the group where he may be employed currently.

C. MAJOR MEDICAL INSURANCE

The University pays the full cost of major medical insurance for full-time faculty who enroll in the program. Dependents may be covered also by the subscriber's payment of an additional premium.

Under the University's Major Medical Plan there is a $100 deductible feature which is paid by the individual and also a provision that all Blue Cross/Blue Shield and other medical insurance obligations be met before this plan goes into effect. After these obligations have been realized, the Major Meidcal Plan will pay 80 percent of all covered bills up to a limit of $50,000.

If application is made for Major Medical insurance within 30 days of entering full-time employment, no medical statement is required. Anyone not covered at the time of employment, and desiring coverage later, must complete a statement of health with the application.

For further information as well as assistance in filing claims, the Division of Benefits Administration, Personnel Services Department, should be contacted.

D. TOTAL DISABILITY INSURANCE

To provide a continuing income, in the event of total disability to eligible faculty members, a group disability program is provided. There is no cost to the individual as the University funds the entire premium. Enrollment in the program requires a one-year waiting period.

E. FEDERAL SOCIAL SECURITY

All employees of the University (U. S. citizens), except students, participate in the Old Age and Survivor's Insurance Program, commonly known as Social Security. Deductions are made from each salary check, in the amount prescribed by law. Equal amounts are paid by the University.

G. MEDICAL EXAMINATION

The University assists faculty members over age 35 in meeting the cost of the annual physical examination by their own physician up to a cost of $50, which includes physician and laboratory fees, if required. Those desirous of participating should obtain the necessary forms from the Benefits Section of Personnel Services.

H. BLOOD BANK

The University makes available, at no cost to the individual, "Blood Bank of Delaware" membership to all full-time employees. Faculty members may enroll in the Blood Bank during the annual enrollment period announced by the Personnel Services Department.

I. RENTAL HOUSING

The University owns a limited number of faculty dwellings which are available on a rental basis to new members of the faculty for a maximum of ten months occupancy. These quarters must be vacated in June or July of the lease period to free them for incoming faculty. Application for housing should be made to the Assistant Manager of Plant Operations. Assignments of available housing are made in June.

F. UNIVERSITY PROGRAMS FOR RETIREMENT

1. Teachers Insurance and Annuity Association (TIAA) and College Retirement Equities Fund (CREF)

Participation in the University Retirement Program is mandatory at age 35 for full-time members of the faculty. Those under age 35 when employed are required to enroll at the beginning of the contract year following their 35th birthday. Those who are age 35 or older when employed are required to enroll at the time of hire.

Participation with University contributions is optional for eligible persons between ages 30 through 34, or for those who enter the employment of the University after reaching their 50th birthday. (Faculty members under age 30 also may enroll in TIAA and CREF and make personal contributions.)

Upon entry into the University Retirement Program, the individual decides whether to contribute, by payroll deduction or payroll reduction under a salary or annuity option, 5% or 7.5% of his base annual salary up to the maximum of $2,250 (7.5% of $30,000). The University contributes 7.5% of base annual salary to a maximum of $30,000 for each faculty member over age 30 who is enrolled in the program. Additionally, a tax-sheltered option may be elected to defer taxes on individual-contributed amounts above the 5% or 7.5% (within I.R.S. regulations) until retirement payments are received. The individual has an option to participate in the College Retirement Equities Fund to the extent of 25, 33, 50, 75, or 100 percent.

2. Supplemental Retirement Annuity

A form of TIAA/CREF contract, entitled "Supplemental Retirement Annuity," is also available to faculty members. This annuity program is designed for individuals who wish to set aside tax-deferred funds (within I.R.S. regulations) in addition to TIAA and CREF annuities under the University's retirement plan. The program differs from University retirement annuities in that the Supplemental Retirement Annuity can be surrendered for its cash value at any time. The University does not contribute to this program.

3. Delaware State Employees' Pension Plan

University employees, not participating in the University Retirement Program (TIAA) will participate in the State of Delaware Pension Plan in accordance with University and current state regulations.

4. Agricultural Extension Retirement Plan

Agricultural Extension staff members holding cooperative appointments with the U. S. Department of Agriculture and drawing 51% or more of their salary from Extension funds participate in the Federal Retirement Plan and not in the retirement plan of the University. Other Agricultural Extension appointees holding faculty standing not falling in the classification are eligible to participate in the University Retirement Plan.

Complete details may be obtained from the Department of Personnel Services or the Cooperative Extension Service.

J. MORTGAGE LOANS

The Trustees of the University have made available a sum of money for the financing of residential mortgages for eligible faculty and professional members. This is to assist eligible members in obtaining appropriate housing within the vicinity of the University area in which they work. The money has been made available through the issuance of General Obligation Bonds of the University of Delaware. Full-time faculty holding the rank of associate professor or higher and assistant professors with two full years of service are eligible to make application for loans. Some of the pertinent provisions of the program are as follows:

1. The mortgage rate has been set at 7 1/2 percent during the period that the proceeds of the bond issue are available;
2. The term of the mortgage will not exceed 25 years, or 65 years of age, whichever is less;
3. A mortgage can be granted up to 80 percent of the Bond Trustee's appraised value of the property, provided this does not exceed two and one-quarter times the applicant's contract salary;
4. Mortgage will be limited to one home to be occupied by eligible members or their minor children;*
5. If an eligible member is holding a University mortgage and desires to purchase another house, the member must sell the current house and apply the net proceeds of the sale to the purchase of the new house within the terms stated above.
6. The program is not designed to provide funds for renovating or refinancing property currently owned by an eligible member.
7. If a mortgage holder ceases to be a full-time employee of the University, the options on settlement of the mortgage are, in the absence of special direction of the Treasurer of the University, as follows: (1) if less than five years of service, mortgage must be satisfied within 90 days from date of separation; (2) if more than five years of service and termination is involuntary, mortgage must be satisfied within 90 days from date of separation or within one year of notice of termination, whichever is greater; (3) if more than five years of service and termination is voluntary, mortgage must be satisfied within 180 days from date of separation.
8. If the mortgage holder ceases to be a full-time employee of the University and does not satisfy the mortgage under the options stated above, at the option of the University, the interest rate

on the University mortgage may be increased to the maximum rate of interest then lawful in the State of Delaware, or such other appropriate action, including and without being limited to foreclosure and transfer of deed.

K. COURSE FEES, WAIVERS - RESIDENT RATES

All regular full-time employees may enroll in one course each semester, each summer session, and during the winter session without payment of fees provided such enrollment does not displace a paying student from the class or add appreciable costs to the University. Details are contained on the request form. Additional courses may be taken upon payment of fees. Full-time faculty and professional members, their spouses and dependent children are considered as in-state students for fee purposes from the date of employment.

L. UNIVERSITY FACILITIES AND EQUIPMENT

Although colleges and departments may occupy a particular building or section of a building, other classes and activities will be assigned to these facilities as space requirements dictate. Assignment of office space is made by the Planning Office in response to requests initiated by the department chairperson and approved by the Provost. Classrooms and seminar rooms are assigned and scheduled by the Scheduling Officer in the Records Office.

Office and building keys are issued free to authorized users and should be requested on a "Key Authorization Form" available in departmental offices. Authorized users are responsible for security of the keys and should not duplicate them or lend them to unauthorized persons. As a security precaution, keys should not be labeled as to the locks they open. When keys are no longer in use they should be returned to the locksmith. In the event of loss of keys, Plant Operations should be notified immediately.

The following office furnishings are issued to each faculty member and charged against the University Equipment Account: 1 desk, 1 filing cabinet, 1 waste basket, 1 desk chair, 1 side chair, and 1 unit of bookshelves. Faculty members are asked not to move furniture from one office to another without notifying the Office of Plant Operations and the department chairman.

In general, all University buildings are open Monday through Friday from 7:30 a.m. to 10:00 p.m. and on Saturdays 7:30 a.m. to 12:00 noon. For buildings where general admittance is customary after usual closing hours (Library, etc.), hours are posted. Persons desiring to use a building outside regular hours should make their needs known to

Security in sufficient time for arrangements to be made with the custodians or night watchmen. If a building is used after hours, it is requested that the building be left in an orderly and safe condition. Regulations regarding smoking are posted in the several buildings and should be enforced. Smoking is not permitted in classrooms.

Personnel are responsible at all times for the proper use and care of University property by themselves and their students. When property damage occurs in connection with classroom activities the department concerned is charged with the repair costs. If damage occurs through student negligence or malice, the charge is assessed against the individual student. Because daily inspections by maintenance staff is not feasible, persons noting physical malfunctions such as burned out bulbs or overheated classrooms should call Plant Operations.

Safety shall be a major concern of all faculty and professionals. Each activity must be planned and conducted with the safety of individuals considered. Sound safety principles and procedures shall be established and followed in all classrooms and laboratories. Each faculty member has the responsibility of safety associated with activities under his or her direction. The Office of Safety Coordination may be consulted on all matters concerning safety.

If a fire occurs it is important that the Safety Coordinator be notified immediately, even if no appreciable damage results. He will make sure that the fire extinguishers are recharged, insurance reports filed, and hazardous conditions corrected to reduce the chance or recurrence.

University property shall not be removed from the campus or from the building to which it is assigned without appropriate authority.

Equipment not in use shall be at the disposal of an equipment administrator, designated by the President, who shall maintain a current inventory of all equipment and shall have authority to make such rules as are needed to obtain maximum sharing of such equipment. No new equipment may be purchased without the approval of the equipment administrator indicating that usable surplus does not exist or that similar equipment cannot be shared with other units.

M. POST OFFICE AND MAIL SERVICE

The University operates a substation for the distribution of regular mail to the campus received from the U. S. Postal Service. All material received in the U. S. mails will be distributed to the designated office or person. Concurrently, the University operates its own campus distribution service, commonly referred to as the "Campus Mail." This service provides for the distribution of University business and printed matter of importance and relevance to programs and services authorized by the University. In this context, the Campus Mail system, as a part of the University's facilities, is restricted service. It is not available for the personal use of University employees or students, or for the personal use, private gain or use by non-University groups or for the advertisement of programs not sponsored by the University.

Regulations regarding the hours and use of the substation are available from the Campus Mail Division.

N. UNIVERSITY BOOKSTORE

The University Bookstore, owned and operated by the University, is located in the lower level of the Student Center. Its primary function is to obtain and sell textbooks and other materials needed in the academic program. Book and supply requirements must be submitted to the Bookstore on the proper forms at the requested time. Also, the Bookstore offers nonrequired titles in cloth and paper bindings. Other articles include art objects, greeting cards, magazines, and records.

O. CENTRAL DUPLICATING CENTER

Departmental and specialized offices are staffed with secretaries to handle official business. The University does not provide personal and individual secretarial help for faculty. Faculty instructional needs for typing, duplicating, and other stenographic services may be met by departmental secretaries to the extent that their other duties permit.

The University's Central Duplicating Service provides for the duplicating and printing of necessary materials for the various academic and service units of the University. The Central Duplicating Service is, therefore, a service restricted to use by the various units of the University. All units of the University pay for the services received. This service, therefore, is not to be used by employees or students for their personal affairs. In addition, the restriction that facilities of the University may not be used in the interest of any party, sect or denomination except where recognized under the established "Speakers Policy" of the University pertains to this service as well.

P. TELEPHONE SERVICE

The University has a direct dial (Centrex) telephone system. This service permits the user to receive calls directly from the outside, or to place calls to the outside without the assistance of a switchboard attendant.

University users should inform as many people as possible of their Centrex numbers so that they may be called directly when in their offices.

Telephone installation is arranged in response to a written request from the appropriate department head, approved by the Dean of the college and the Director of Supporting Services. The University attempts to provide access to telephone service for all full-time faculty members. It is not feasible to have separate telephones in every office, so several faculty members may have to share in the use of one instrument or line. The University console is open from 8:30 a.m. to 5:00 p.m. Monday through Friday, except on holidays.

Instructions concerning the use of University telephones are given in the University telephone directory issued by the Telephone Services Supervisor. Calls on University business should not be made on a home telephone or later billed to the University, for the University cannot accept charges for the taxes involved. Personal long distance calls should not be made from University telephones.

Q. PARKING ON CAMPUS

University parking facilities, although limited, are adequate to accommodate authorized vehicles in the areas specified in the vehicle regulations. All University employees and commuting students are required to register vehicles which are to be parked on campus; except at metered spaces. Parking lots are color coded, and variable annual parking charges are related to the type of lot. Individual reserved spaces are provided for faculty with severe physical handicaps, and may be obtained on payment of the appropriate fee by all University employees. Unregistered vehicles or vehicles parked in violation of parking rules are subject to towing at owner's expense.

Bus service is provided on a frequent basis between the Delaware Field House, main campus areas and north campus while classes are in session. Use of the bus is encouraged to reduce congestion and pollution.

R. LIABILITY INSURANCE AND INDEMNIFICATION

The University, its employees and students are generally protected by comprehensive liability insurance, including contractual liability, from the consequences of negligence in the performance of official duties.

In addition, an employee or agent will be indemnified by the University against expenses, judgments and fines reasonably incurred as a result of any lawful actions taken in good faith and not opposed to the best interests of the University. This includes errors and omissions of a professional nature. A copy of the complete Indemnification Policy is contained in Chapter 3 of the Trustee Bylaws.

Drivers of *University* vehicles are protected by automobile liability insurance with limits of $100,000 per person, $300,000 per occurrence for bodily injury and $50,000 per occurrence for property damage. Similar *secondary* (excess) coverage to protect the University is also provided on nonowned vehicles used on official University business. However, the owner's insurance is primary and the University suggests minimum personal automobile limits at least equal to those carried on University vehicles for the financial protection of employees, students and volunteers who may use their personal vehicles on University business.

The University assumes no responsibility for *loss or damage to personal property*. Employees are urged to carry personal property insurance to cover items of value. This coverage is often included in Homeowner's Policies.

Personally owned or leased aircraft may not be used on University business without the specific prior written approval of the Provost. A certificate of Aircraft Liability Insurance should be submitted and approved by the Assistant Treasurer for Revenues and Insurance prior to use of the aircraft.

S. PUBLICATIONS

Faculty, professional, and staff newsletters are issued regularly as are daily calendars of events. Various reports, including the President's Annual Report, the Financial Report, and University catalogs and bulletins, are issued periodically.

Students publish a student newspaper, "The Review", twice weekly during the academic year. The *Blue Hen* is the annual student yearbook sold on a subscription basis.

T. NOTARIES PUBLIC

University documents and forms will be notarized without charge by any of the University notaries public. These are located in the Bursar's Office (012 Hullihen Hall), the Financial Aid Office (207 Hullihen Hall), the Food Service and Housing Office (503 S. Academy St.), the Payroll Office (General Services Building - 222 S. Chapel St.), and the Administrative Business Office (109 Agricultural Hall).

Although intended primarily for University business, these notaries will also furnish personal notary services, for which they must make the legally required charges.

U. UNIVERSITY OF DELAWARE BLUE AND GOLD CLUB

Faculty, professionals and staff of the University are eligible for membership in the Blue and Gold Club of the University of Delaware which was organized and is maintained by the staff and alumni of the University. Its purpose is to promote and perpetuate amity and understanding among the members of the "University of Delaware family". The club offers members opportunities to meet socially and professionally at luncheon and dinner meetings and at special events. It will also provide other services that may be desired by the membership. Club facilities are at 44 Kent Way. Applications may be obtained at the Blue and Gold Club.

Regular voting membership is open to all qualified persons who shall pay an initiation fee, annual dues, and quarterly minimum charge. A non-voting membership, with lower dues and no minimum charge, is available to eligible persons who live more than 25 miles from the campus.

V. ID CARD

All members of the faculty and staff are issued University of Delaware identification cards. The ID card is the faculty member's official University identification and entitles the faculty and staff member to the use or rights and privileges extended at the Bookstore, Library, recreation facilities, dramatic productions, and films and lectures. The ID card is the property of the University and must be surrendered upon termination of employment. The final paycheck of an employee is withheld until the ID card is returned. The ID card is permanent and is not reissued, except in case of loss or theft. A charge of $5 is made for the replacement of an ID card. The loss of a card should be reported immediately to the ID Systems Office, 004 Hullihen Hall.

ID cards also will be issued upon request to spouses of faculty and staff members. The "University Affiliated" ID card permits spouses to enjoy many of the same privileges offered to faculty and staff. A charge of $2 is made for the initial issuance of the University Affiliated ID card. For further information, contact the ID Systems Office, 004 Hullihen Hall.

W(1). USE OF UNIVERSITY FACILITIES BY ON-CAMPUS GROUPS

The physical facilities of the University of Delaware have been provided to enable the institution to carry out its responsibilities of education, research and public service.

Recognizing that the University of Delaware cannot honor all of the many requests it receives from campus groups and individuals for the use of facilities in support of numerous activities, the following policies are established:

1. Those activities within the broad definitions of education, research, and public service which the University initiates, have priority over all other uses of the institution's physical facilities. University, in this context, means a college, division, department or other official administrative or service unit.

2. When space is available, a campus-affiliated group may be granted the use of University facilities provided the activity is sponsored by a college, division, department or other official administrative or service unit or by a recognized employee organization, and provided the group agrees to observe the policies and procedures governing the use of University facilities.

3. The use of University facilities by campus groups or individuals shall not interefere with or prevent the use of the facilities for the regular instructional program or for other scheduled activities.

4. Campus groups or individuals using University facilities must compensate the University for the rental of space, where applicable, and for all expenses resulting from the activities including custodial service, labor, security, conference arrangements or other costs.

5. The use of University facilities solely for fund-raising purposes shall be limited, and then to only those activities whose income benefits the entire State. Any exception must be approved by the Vice President for University Relations and Business Management. The University will maintain control over all income used in connection with fund-raising activities and will collect and disburse all income.

6. University facilities may not be used by campus groups or individuals to raise money for private purposes.

7. The University may refuse the use of its facilities to campus groups or individuals that otherwise would be eligible where the proposed activity would require an unreasonable amount of University supervision or service or where there is a question concerning the safety of the participants or propitious use of University property.

W(2). USE OF UNIVERSITY FACILITIES

The following policies covering the use of University facilities can be found in the University Policy and Procedures Manual, Facilities Section:

1. Use of University Facilities by Off-Campus Groups
2. Use of Academic Facilities by Outsiders
3. Guidelines for the Use of University Facilities for Activities in Support of a Political Party or Political Candidates
4. Guests and Visitors Use of the Student Center
5. Use of Carpenter Sports Building by University Groups
6. Use of Residence Hall to House Conference Groups
7. Off-Campus Use of University Property by University Personnel

X. DISRUPTIVE BEHAVIOR

A university in a free society must be devoted to the pursuit of truth and knowledge through reason and open communication. The rules it has should be conceived solely for the purpose of furthering and protecting the rights of all members of the university community in achieving these ends. In such a community, criticism and dissent play an essential role, and must be tolerated and encouraged. On the other hand, a distinction must be drawn between those who would attempt to bring change through the use of non-violent tactics, and those who would bring it through violence. Physical harassment, violence, or threat of violence to anyone on the university premises, destruction of or damage to property, obstruction and disruptive behavior, however, are not acceptable tactics in such an environment, for they constrain others from pursuing their educational goals and are in conflict with the academic ideal that conflicts should be resolvable by reason and civil interchange. Disruptive behavior is defined as any act which prevents the accomplishment of any lawful activity, process or function of the university. To insure that these principles are workable in practice, the scholarly community must be organized so as to generate freely given consent and loyalty, and provide for the relief of grievances. The views of all participants in the academic enterprise must enter into the process of consensus, and opportunities for change must be open. Nevertheless, the concept that a small group can impose its will on the majority by the use of force or intimidation is the very antithesis of what is proper in a university environment.

With respect to specific enforcement of the general policy against disruptive behavior, any faculty member so charged shall be entitled to a hearing before the Faculty Welfare and Privileges Committee before formal action is taken by the university. He shall be entitled to the safeguards described in the Handbook for Faculty (Section III-B). Disposition of these cases by the committee may range from dismissal of the charges to a recommendation to the President that the faculty person's contract be terminated. Charges of disruptive behavior against a faculty member may be brought by any voting member of the faculty.

With respect to specific enforcement of the general policy against disruptive behavior, any student charged with such behavior is entitled to a hearing before the appropriate judicial body, with the safeguards and rights of appeal described in the Student Rights and Responsibilities Statement. If the disruptive behavior by a student is, in the opinion of the Vice President for Student Affairs or his designated representative, of such nature as to prevent the accomplishment of any lawful activity, process or function of the university, the Vice President for Student Affairs may direct the student to cease the behavior promptly. If the student does not cease the disruptive behavior promptly, the Vice President for Student Affairs may impose an enforcement suspension. Enforcement suspension is defined as an interim action effective immediately, which removes the student from the university and prohibits his presence on the campus until his case is resolved in accordance with prescribed judicial procedures.

Disruptive behavior by non-members of the University will not be tolerated and will be subject to civil action.

It is the desire of the University community to maintain full control of its own affairs. The President of the University shall determine when it is necessary to call outside security forces to the campus to restore order. It is the policy of the faculty under its responsibilities with respect to students, that the initiation of a call by the President of the University for outside security forces be done whensoever possible with the prior consultation of the officers of the faculty senate then available. Such forces will be called only when there is clear and imminent danger of bodily injury or loss of life, significant danger to property, or other serious disruption of the University. The following principles shall guide the University community during such a crisis: (1) Violence shall be avoided by clear warning and adequate opportunity to desist peacefully both before and at the time of confrontation by outside security forces; (2) outside security forces shall be explicitly enjoined at the time of their call to use the minimum necessary restrained force to secure the peace, being to the extent possible forces so trained, and being particularly enjoined to avoid to the utmost extent possible the use of firearms; (3) it shall be the responsibility of the faculty to decrease the dangers of violence by exemplary behavior and patient guidance; (4) it shall be the responsibility of the faculty, further, to engage in surveillance of any action by security forces (internal or external), to cooperate, where possible, in securing the peace, and to eliminate to the maximum extent feasible any unnecessary or unwarranted further interruption or disruption of normal University activities.

Policy approved by Faculty Senate and adopted by University of Delaware, June 1, 1970.

APPENDIX A

RESTATEMENT OF UNIVERSITY CHARTER

PREFACE

The University of Delaware had its corporate origin in the Act of the General Assembly of Delaware, passed February 5, 1833, incorporating "Newark College". The name of the College so incorporated has through the years undergone certain changes and now is known as the University of Delaware.

The charter of the College from its original enactment was regularly renewed by periodic renewals with certain additional and extraneous Acts of the General Assembly applicable to the said College. In 1959 the expediency of having in one publication the statement of the privileges and responsibilities of the University became apparent to the Trustees who, on June 13, 1959, adopted the following resolution, which may serve as a preface to the charter itself.

WHEREAS, in 1913, the General Assembly of Delaware, by Chapter 117 of 27 Laws of Delaware, did grant to the University of Delaware a perpetual charter which contains no reserve power in the General Assembly to amend the charter thus granted; and

WHEREAS, since 1913, the General Assembly has from time to time, at the instance and request or with the approval and acquiescence of the University of Delaware, adopted various acts modifying or affecting provisions of the charter of the University; and

WHEREAS, in 1953, the General Assembly adopted an act to revise, recodify, arrange and consolidate into a code the public and general statutes of the State of Delaware, referred to as "Delaware Code of 1953", and Title 14, Chapter 51 of this Code set forth a restatement of the charter of the University of Delaware; and

WHEREAS, in 1955, at the instance and request of the University of Delaware, the General Assembly, by Chapter 521 of 50 Laws of Delaware, adopted certain acts relating to the powers of the University to issue bonds;

NOW, THEREFORE, BE IT RESOLVED, that Chapter 51 of Title 14 of Delaware Code of 1953, as amended, be and the same hereby is accepted by the Trustees of the University of Delaware as a restatement of the charter of the University of Delaware.

RESTATEMENT OF THE
CHARTER OF UNIVERSITY OF DELAWARE

8 DELAWARE CODE (1953)
TITLE 14, CHAPTER 51, PAGE 655
SEC. 5101, ET SEQ.

Par. 5101. *Corporate status, membership, and perpetuity*

(a) The University of Delaware, hereinafter referred to as "The University", is continued as a corporation and, as such, shall have perpetual succession and existence.

(b) The members of the Board of Trustees of the University shall constitute the membership of the corporation.

Par. 5102. *Purpose*

The leading object of the University shall be to promote the liberal and practical education of persons of all classes in the several pursuits and professions in life through the teaching of classical, scientific and agricultural subjects, the mechanical arts, military tactics, and such other subjects as are related to and will contribute to the achievement of the objectives of a Land-Grant, State University.

Par. 5103. *Non-sectarian, non-partisan institution*

The University shall never be managed or conducted in the interest of any party, sect or denomination.

Par. 5104. *Powers of University*

The University shall have all the powers and franchises incident to a corporation, including the power to take and hold real and personal estate by deed, devise, bequest, gift, grant, or otherwise, and the same to alien, sell, transfer and dispose of as occasion may require, and the proceeds thereof to reinvest in other property, funds, or securities for the benefit of the University, and in accordance with the spirit and purpose of its charter.

Par. 5105. *Board of Trustees; composition, selection, term and vacancies*

(a) The Board of Trustees of the University shall consist of twenty-eight members, together with the Governor of the State, the President of the University, the Master of the State Grange, and the President of the State Board of Education, all of whom shall be members of the Board, ex officio.

(b) Eight of the trustees shall be appointed by the Governor, by and with the consent of a majority of the members elected to the Senate. At least one of the members to be appointed by the Governor shall be a person skilled in the mechanic arts.

(c) Twenty of the trustees shall be elected by a majority of the whole Board, as constituted, not less than five of whom shall reside in each county in the State, and the election shall not be final until reported to the Senate at its next regular session, and confirmed by a majority of all of the members elected thereto.

(d) No trustee shall be chosen, elected or appointed for a longer term than six years. This subsection shall not affect the term of any trustee who was appointed for a life term prior to March 28, 1921.

(e) Any vacancy in the Board caused by the expiration of term, death, resignation, or otherwise, of a trustee who was appointed by the Governor, shall be filled by the Governor, so that there shall, at all times be eight members of the Board appointed by the Governor. All other vacancies shall be filled by election by the Board.

Par. 5106. *Powers of Board*

The Board of Trustees shall have the entire control and management of the affairs of the University. The Board may exercise all powers and franchises of the University, appoint and remove all subordinate officers and agents, and make bylaws as well for their own government as that of the University.

Notwithstanding any provisions appearing elsewhere in the laws of this State which might suggest or provide the contrary, the entire control and management of the affairs of the University, which is conferred upon the Board of Trustees by the foregoing paragraph, shall be construed, in the area of fiscal and revenue matters, as including, but not as being limited to, the following powers and duties: all authority with respect to salaries and compensatory payments or benefits, as well as other terms of employment, of any and all University personnel, and individual salaries or salary increases or other benefits do not have to be reported or justified to any official or agency of the State (except to comply with applicable laws and regulations providing for preference in employment of laborers, workmen and mechanics who reside in the State and the applicable minimum wage requirements for public construction projects, and to cooperate in the ordinary way with the appropriate officials with respect to income tax and other tax matters); the management of all of the remaining fiscal affairs of the University, including the establishment of fees and charges, the collection thereof and the adoption of the University's budget, the establishment of all accounting and auditing procedures (subject to the duty to obtain independent certified audits as provided in section 5109 of this title), the authorization, issuance and repayment of bonds or other obligations of the University; the selection of means and procedures for the deposit, investment, and control of all moneys, funds, and securities which are now held or which may at any time be received by the University, as well as the allocation, use, and re-investment of the proceeds and earnings of any such deposits and investments and the right to commingle funds appropriated by the State with other funds of the University; the right to elect whether and to what extent to participate in programs of which all or a part of the costs are provided by the United States of America or by the State or any subdivision or municipality thereof; control of all matters having to do with the formulation of the terms of contracts for the construction of buildings or other University facilities, as well as the manner of awarding contracts or purchasing supplies and equipment; in respect to the purchase of supplies and equipment, regulations established by the State for bulk or central purchasing are not to apply to the University of Delaware unless the General Assembly expressly so provides, and in that case are to be understood as applying only to transactions involving the expenditures of moneys which have been appropriated from the General Fund of the State; the planning for buildings and improvements and the extension or diminution of the campus or other land holdings are matters wholly under the control of the Trustees except where inspection or regulations may be provided for by law in respects involving the health or safety of the occupants of the buildings; where moneys are appropriated by the General Assembly to the University, unless the General Assembly should expressly provide otherwise, they are intended to be paid to the University in equal monthly installments, and are not in any event to be cumbered by any procedures calling for pre-audit or other administrative control exercised by the Budget Director or other agency or official of the State. As amended 54 Del. Laws, Ch. 256, Par. 1, eff. April 22, 1964.

Par. 5107. *Meetings of Board; notice*

(a) There shall be two stated meetings of the Board of Trustees every year at such time and place as may be fixed by the bylaws, and occasional meetings may be held on the call of the president, which he may make at his discretion, and shall make, on the written request of any two or more members of the Board.

(b) The Secretary of the Board shall give two weeks' written notice of all meetings, and the time, place and purpose of occasional meetings shall be stated in the notice thereof, and the proceedings of such meetings shall be confined strictly to the purpose stated therein.

Par. 5108. *Quorum and failure to attend meetings or accept appointment*

(a) Nine members of the Board of Trustees shall constitute a quorum to do business, but a less number may adjourn. Officers may be appointed for the occasion in the absence of the regular officers.

(b) The place of a trustee who shall be absent from three successive stated meetings, shall be vacated unless the Board shall otherwise specially direct, and a vacancy thus created shall be filled as in other cases. A trustee appointed and not accepting at or before the next stated meeting shall be considered as declining, and a new appointment shall be made.

Par. 5109. *Audit of accounts*

The accounting records of the University may be audited by the Auditor of Accounts of the State or such other auditing official as the General Assembly may from time to time appoint. Neither this nor any other law of this State, however, shall hereafter be construed as imposing any duty upon, or creating the occasion for, any State official (with the exception of such State officials as may from time to time also be Trustees of the University) to audit, question or inquire into the receipt, handling or expenditure of any funds coming to the University from any source other than a State appropriation, provided, however, that if the University should hereafter commingle funds which came from a State appropriation with other funds, the audit of State appropriated funds may be made complete even if in the process of doing so, because of such commingling, non-state funds have to be audited as well.

The University shall continue the practice, which has heretofore been followed on a voluntary basis, of obtaining an annual certified audit of all its financial transactions and making the audit report available to the Board of Trustees.

Par. 5110. *President's report*

The President of the University shall each year, not later than the first day of December, make a report of all the activities of the University, instructional, administrative and financial, for the preceding scholastic and fiscal year, to the Board of Trustees, who shall transmit the same to the Governor, to be by him presented to the Legislature at its next regular session.

Par. 5111. *Faculty; powers*

The faculty, consisting of the professors, instructors and others employed by the Board of Trustees, one of whom shall be President of the University, shall have the care, control, government and instruction of the students, subject, however, to the bylaws. They shall have authority, with the approbation of the Board, to confer degrees and grant diplomas.

Par. 5112. *Endowment fund*

The college fund, created by resolution of the General Assembly of January 28, 1824, and transferred by Act of February 5, 1833, to "The Trustees of Newark College", and all other funds, stock, money, or property belonging to or appropriated for, or raised, paid, or payable to the University of Delaware, by that or any other name, or to any of its predecessors, shall be a part of the endowment of the University, and shall be held, appropriated and used as such by the University.

Par. 5113. *Donations; misnomer*

Devises, bequests, gifts and grants to the University shall not be avoided by any misnomer if the description can be understood with reasonable certainty.

Par. 5114. *Eminent domain; condemnation*

Whenever the Board of Trustees of the University cannot agree with the owner or owners for the purchase of any land, with the improvements thereon, in New Castle County, deemed by the Board necessary for the purpose of erecting any building or buildings to be used by and in connection with the University, or for the enlargement of its grounds, or for any other purpose in connection with the University, or the agricultural experiment station connected therewith, to better carry out the purposes of the University and agricultural experiment station, the University, in the exercise of the power of eminent domain, may acquire the land and improvements by condemnation by proceedings in accordance with Chapter 61 of Title 10.

Par. 5115. *Authority to issue bonds*

The Board of Trustees may provide by resolution, from time to time, for the issuance in the name of the University of Delaware of revenue bonds of the University, for the purpose of paying all or any part of the costs for income producing capital improvements including constructing and equipping income producing buildings and facilities together with incidental acquisition of land therefor, landscaping, walks, drives and utility installations deemed necessary by said Board for the sound expansion and development of the University. The principal and interest of such bonds shall be payable solely from University funds (other than State appropriated funds) specifically pledged in each case by said Board and no part of the revenues or funds of the University from other sources shall in any manner be expended for the purpose of defraying the costs thereof. The bonds of each issue shall be dated, shall bear interest at such rate or rates, payable semi-annually, shall mature at such time or times and may be made redeemable before maturity at such price or prices and under such terms and conditions as may be fixed by the Board of Trustees prior to the issuance of the bonds. The principal and interest of such bonds may be made payable in any lawful medium. The Board of Trustees shall determine the form of the bonds, including any interest coupons to be attached thereto, and shall fix the denomination or denominations of the bonds and the place or places of payment of principal and interest thereof which may be at any bank or trust company within or without the State. The bonds shall be signed by the President of the Board of Trustees and the seal of the University or a facsimile thereof shall be affixed thereto and shall be attested by the Secretary of the Board of Trustees, and any coupons attached thereto shall bear the facsimile signature of the President of the Board of Trustees. In case any officer whose signature or a facsimile thereof shall appear on any bonds or coupons shall cease to be such officer before the delivery of such bonds, such signature or facsimile shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until such delivery. All revenue bonds issued under the provisions of this chapter shall have, and are hereby declared to have, as between successive holders, all the qualities and incidents of negotiable instruments under the Negotiable Instruments Law of this State. Such bonds and the income therefrom shall be exempt from all taxation by the State of Delaware or by any political subdivision, agency or authority thereof. The bonds may be issued in coupon or in registered form or both as the Board of Trustees may determine and provision may be made for the registration of any coupon bond as to principal alone and also as to both principal and interest, and for the reconversion of any bonds registered both as to principal and interest into coupon bonds. The Board of Trustees may sell such bonds either at public or private sale in such manner and for such price as it may determine to be for the best interests of the University. The proceeds of such bonds shall be used solely for the payment of the cost of the specified capital improvements and shall be disbursed in the same manner as other University funds. If the proceeds of the bonds of any issue shall exceed the amount required for the purpose for which such bonds are issued, the surplus shall be held for application to the payment of principal and interest of such bonds. Prior to the preparation of definitive bonds, the Board of Trustees may, under line restrictions, issue temporary bonds, with or without coupons, exchangeable for definitive bonds upon the issuance of the latter. The Board of Trustees may also provide for the replacement of any bond which shall become mutilated or be destroyed or lost. Such revenue bonds may be issued without any other proceedings or the happening of any other conditions or things than those proceedings, conditions and things which are specified and required by this chapter.

Par. 5116. *Bonds as legal investments for Institutions and Fiduciaries*

Bonds issued under the provisions of this chapter are made securities in which all State and municipal officers and administrative departments, boards, and commissions of the State, all banks, bankers, savings banks, trust companies, saving and loan associations, investment companies, and other persons carrying on a banking business, all insurance companies, insurance associations, and other persons carrying on an insurance business, and all administrators, executors, guardians, trustees, and other fiduciaries, and all other persons whatsoever authorized to invest in bonds or other obligations of the State, may properly and legally invest any funds, including capital belonging to them or within their control; and such bonds are made securities which may properly and legally be deposited with and received by any State, county or municipal officer or agency of the State for any purpose for which the deposit of bonds or other obligations of the State is authorized by law.

Par. 5117. *Credit of State not pledged*

Revenue bonds issued under the provisions of this chapter shall be payable exclusively from specified funds of the University. All such bonds shall contain a statement on their face that The State of Delaware is not obligated to pay the same or the interest thereon and that the faith and credit of the State are not pledged to the payment of the principal or interest of such bonds. The issuance of revenue bonds under the provisions of this chapter shall not directly or indirectly or contingently obligate the State to levy or to pledge any form of taxation whatever therefor or to make any appropriation for their payment.

APPENDIX B

TRUSTEE BYLAWS

Chapter 2, Sects. II and III

PERTAINING TO THE FACULTY AND OFFICERS OF THE UNIVERSITY

I. EDUCATIONAL SUBDIVISIONS OF THE UNIVERSITY

Until otherwise ordered by the Board, the University shall have: (1) nine colleges: Agricultural Sciences, Arts and Science, Business and Economics, Education, Engineering, Graduate Studies, Home Economics, Marine Studies, and Nursing; (2) the following additional instructional research or service units: Office of Student Affairs, Agricultural Experiment Station, Agricultural and Home Economics Extension Service, and the Department of Military Science; and (3) the following divisions: Continuing Education; Cooperative Extension; Physical Education, Recreation and Athletics; Alumni Relations; Admissions, Records and Financial Aid; Residence Life; Counseling and Student Development; Libraries; Summer Session; Urban Affairs; and Health Services.

Recommended changes in the educational organization of the University shall come to the Board of Trustees through the President of the University.

II. THE FACULTY

Until otherwise ordered by the Board of Trustees, authority is hereby delegated to the University faculty to formulate and administer the academic and educational policies of the University in accordance with the provisions of the following regulations:

A. Membership

1. The voting membership shall consist of the following: the President of the University, the Provost, Associate and Assistant Provosts, the Secretary, the Vice Presidents, the Treasurer, the Deans, Associate and Assistant Deans, Directors of Educational Divisions, full-time professors, associate professors, assistant professors, instructors and lecturers, and such other members of the administrative and professional staff as may be approved by the Trustees.

The following members of the University's administrative and professional staff, not elsewhere so designated, are voting members of the University faculty: The Directors of the following academic divisions of the University including: Admissions, Records and Financial Aid; Cooperative Extension; Counseling and Student Development; Health Sciences; Libraries; Physical Education, Recreation and Athletics; Research; Residence Life; Summer Session; Instructional Resources Center; Continuing Education; and Urban Affairs; also the University Physicians, and the full-time Counseling and Student Development staff.

2. The University faculty may elect either to voting or nonvoting membership any other member of the University body whom it deems advisable.

3. The University faculty may invite other members of the University body to participate in its deliberations without voting privilege.

4. The University faculty may elect to honorary membership persons who have rendered meritorious service to the University.

B. The President of the University shall be the presiding officer of the University faculty.

C. The faculty shall:

   1. Formulate rules and regulations for the government and the discipline of the student body.

   2. Provide for the establishment of the curricula and courses in the several colleges and divisions.

   3. Provide for the establishment of a program of extra-course education for students.

   4. Determine educational and academic policies of admissions.

   5. Determine the requirements for degrees and recommend candidates for diplomas, degrees, and certificates, which shall be conferred by the President of the University under the authority of the Board of Trustees.

   6. Recommend policies concerning awards, prizes, and scholarships.

   7. Recommend educational and academic policies relating to the administration of the University Library.

8. Make recommendations for the conduct of formal exercises and public functions held under the auspices of the University.

9. Adopt regulations governing its own procedures with authority to enact, amend, and repeal its bylaws by a two-thirds vote of those present.

10. Determine the duties which it will delegate to faculty committees and to the faculties of the several colleges and divisions of the University.

D. The faculty shall be given the opportunity to consider and make recommendations on proposals originating outside the faculty regarding:

1. The establishment or disestablishment of degrees, or

2. Changes in the University organization before final action is taken by the Board of Trustees.

E. It shall be the privilege of the faculty:

1. To make recommendations to the Board of Trustees concerning the establishment of any degree to be awarded or the disestablishment of any degree.

2. To consider matters of general interest to the University and make recommendations thereupon to the President for transmission to the Board of Trustees.

3. To consider and make recommendations for proposed changes in the University organization.

4. To make recommendations to the President, for transmission to the Board of Trustees, concerning the formation of policies governing appointments, promotions, tenure, dismissals, and salaries.

5. To propose to the President, for transmission to the Board of Trustees, upon the concurrence of two-thirds of those present, amendments to these regulations, provided such amendment or amendments have been proposed in writing at the preceding regular meeting of the University faculty.

F. All matters of conflicting jurisdiction as to the exercise of powers by the several colleges and divisions shall be decided by the President of the University.

III. ADMINISTRATIVE OFFICERS OF THE UNIVERSITY

A. President of the University

The President of the University, as the executive agent of the Board of Trustees and the chief administrative officer of the University, shall have general supervision of the affairs of the University and shall be, ex officio, a member of the Board of Trustees.

The President of the University shall prepare the docket to be considered at regular meetings of the Board of Trustees and regular meetings of the several Standing Committees and shall forward such dockets and supporting exhibits to each member of the committee three days before the regular meeting thereof. The docket for the semi-annual meetings of the Executive Committee shall include the semi-annual reports of the Standing Committees of the Board and the resolutions which are to be presented at the meeting of the Board immediately following. This regulation shall not, however, limit the consideration of any matters which may properly come before the Board of Trustees or its Standing Committees.

In the event of a vacancy in the office of President, an Acting President shall be chosen by the Board of Trustees to serve at the pleasure of the Board.

Subject to confirmation by the Trustees and except as may otherwise be provided for in these bylaws, the President shall appoint the Provost, Vice Presidents, Deans and Directors of the University.

B. Provost of the University

The Provost of the University shall be the executive officer of the University next in authority to the President of the University. The Provost shall be a member of all University-wide councils and agencies and perform such other duties and responsibilities as the President of the University may assign, having in all matters a general responsibility to the President of the University.

In case of a temporary absence or disability of the President, the Provost of the University shall perform the duties of the President.

C. Treasurer of the University

The Board of Trustees shall appoint the Treasurer of the University upon nomination by the President of the University. The Treasurer of the University shall be under the general supervision of the President of the University.

Subject to the direction of the President of the University and the Committee on Finance the Treasurer of the University: (1) shall supervise and direct all financial operations of the University, except to the extent that the Board of Trustees has and may otherwise provide and except to the extent that funds may be held by an agent or custodian duly appointed by authority of the Board of Trustees; (2) no moneys of the University shall be paid out, nor shall any purchase be made, nor liability incurred for or on account of the University by an officer or employee thereof except by the direction of the Treasurer of the University; (3) acting for the Treasurer of the Board of Trustees, the Treasurer of the University shall approve expenditures only if there is in the budget money available for the expenditure.

The Treasurer of the University shall give to the Corporation a bond with corporate surety, in such amount as the Board shall require, for the faithful performance of duties, the premium on said bond to be paid by the Corporation.

In the absence of the Secretary of the University, or inability to act, the Treasurer of the University shall affix the seal of the University to such documents as may require it.

D. Vice President for University Relations and Business Management

Except to the extent that the Board of Trustees has and may otherwise provide, the Vice President for University Relations and Business Management under the direction of the President of the University shall be responsible for the external relations and activities of the University, including the supervision and direction of Alumni Relations, Public Information, University Publications, University Photographer, and such other activities and functions of the University as the President may assign.

Subject to the direction of the President of the University and the Committee on Grounds and Buildings, the Vice President for University Relations and Business Management shall supervise and direct the upkeep and maintenance of the grounds, buildings, and equipment of the University, and supervise and direct the function of physical planning.

E. Vice President for Student Affairs

Under the direction of the President, the Vice President for Student Affairs shall develop, coordinate and implement the total program of student services consistent with regulations promulgated by the faculty and trustees, including the following specific functions: admissions and records, orientation of new students (excluding the formal orientation courses taught in the colleges of the University), financial aid, counseling, student development, and extracurricular activities (including student government, student publications, fraternities, sororities, and other social, religious and cultural out-of-class activities, but excluding intercollegiate and intramural athletics), student health services, student housing and food services, and shall establish and administer the Student Judicial System consistent with the philosophy formulated by the faculty. (Revised by action of the Board of Trustees on May 31, 1975.)

The Vice President for Student Affairs shall evaluate and report periodically to the President and the Trustees on the effectiveness of the programs of Student Affairs and the regulations promulgated by the faculty.

F. Vice President for Employee Relations

The Vice President for Employee Relations, under the direction of the President, shall be responsible for such employee and personnel duties as shall be assigned by the President of the University, including, but not limited to, collective bargaining negotiations, all grievances and arbitration activities, and the administration of the Office of Personnel.

The Vice President for Employee Relations shall periodically report to the President on the status and viability of the University's salary and fringe benefit programs.

G. Secretary of the University

The Secretary of the University shall under the direction of the Secretary of the Board of Trustees, send notices of meetings herein provided for and see that a copy of the minutes of the preceding stated meeting and of any special meeting held since the last stated meeting is sent to each Trustee. As soon as possible after each meeting, the Secretary of the University shall transmit to the proper officer, or to the chairmen of the proper committees, all papers, matters, or business that may have been referred to them respectively. The Secretary of the University shall notify by letter all persons elected or appointed to office by the Board and shall notify those upon whom it has been voted to confer honorary degrees.

The Secretary of the University shall affix the seal of the University to such documents as may require it.

H. Deans of the University

1. The Deans of the University shall be as follows: Dean of the College of Agricultural Sciences, Dean of the College of Arts and Science, Dean of the College of Business and

Economics, Dean of the College of Education, Dean of the College of Engineering, Dean of the College of Home Economics, Dean of the College of Nursing, Dean of the College of Graduate Studies, Dean of the College of Marine Studies, and Dean of Students.

Other educational offices such as those of Associate Deans and Assistant Deans may be established by the President of the University with the approval of the Board.

2. The dean of any college in addition to other duties, shall have immediate charge of supervising and correlating all research, instructional, and educational activities of that college.

I. Directors of the Divisions of the University

The Directors of the University shall be as follows: Continuing Education; Cooperative Extension; Physical Education, Athletics and Recreation; Alumni Relations; Admissions, Records and Financial Aid; Residence Life; Counseling and Student Development; Libraries; Summer Sessions; General Studies; Urban Affairs; Health Sciences; Student Health Service; Housing and Food Service; and such other divisions as shall be necessary and appropriate.

Under the immediate jurisdiction of the Vice President for Student Affairs shall be a Director of Admissions, Records and Financial Aid, who shall also serve as Secretary of the Committee on Admissions and shall function in this capacity as the officer in charge of admissions.

J. Director of Libraries

All books, maps, charts, periodicals, pamphlets, newspapers, manuscripts, and other printed matter and audiovisual materials purchased from funds appropriated by the Trustees or acquired in any other manner shall be deemed a part of the University Libraries and shall be marked and catalogued. All expenditures for library materials are made under the direction of the Director of Libraries.

There shall be a Director of Libraries appointed by the Board upon nomination of the President of the University. The Director shall be the general executive officer of all libraries under the control of the University, and shall be directly responsible to the President of the University. The Director of Libraries shall have academic rank.

Any Library committee appointed otherwise than under authority of the Board of Trustees shall be advisory only.

K. Department Chairmen

Department Chairmen shall be appointed by the President of the University, upon the recommendation of the appropriate deans, for a term of five years subject to renewal, with the President having the authority to replace a department chairman at any time within a five-year term if, in the opinion of the President and the appropriate dean, such action shall be desirable.

A Chairman shall be appointed for those departments that have at least one associate or full professor and two other full-time faculty members.

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